
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 199

**The Local Government Pension Scheme
(Scotland) Amendment Regulations 2000**

Credited periods for transferring members with mis-sold pension rights

43. In regulation 124—

(a) in paragraph (4) for sub-paragraph (a) substitute—

“(a) the amount that would be necessary (as at the date on which the request for the calculation of the restitution amount is received by the appropriate administering authority) to purchase a period of membership for the purposes of these Regulations equal to the length of the personal pension period on the basis of a transfer from a scheme which is not a club scheme (including the value of rights under the Pensions (Increase) Act 1971⁽¹⁾ and the Pensions (Increase) Act 1974⁽²⁾);”.

(b) in paragraph 4(c) omit “on a daily basis”;

(c) in paragraph (5) for “value” substitute “amount”; and

(d) add the following new paragraphs:—

“(7) Where a transfer value has been accepted in relation to a woman to whom this regulation applies and in respect of whom a transfer value had been paid previously by an administering authority to a personal pension scheme any part of which transfer value was attributable to membership before 5th April 1988, then the credited period shall be apportioned as membership before 6th April 1988 and as membership after 5th April 1988 in the same proportions as it would have been had the woman become or remained a member of the scheme throughout the personal pension period.

(8) If in the opinion of the appropriate administering authority the transfer value does not satisfy the conditions specified in paragraph (2) for the reason only that it is less than the restitution amount, the appropriate administering authority may accept the transfer value on the basis that the credited period which the member may count is such proportion of the personal pension period as the appropriate administering authority determine.”.

(1) 1971 c. 56.

(2) 1974 c. 9.