

## SCHEDULE 1

### THE NEW FIREFIGHTERS' PENSION SCHEME (SCOTLAND)

## PART 12

### TRANSFERS INTO AND OUT OF THE SCHEME

#### CHAPTER 1

#### INTERPRETATION OF PART 12 AND ENTITLEMENT TO TRANSFER VALUE PAYMENT

##### **Interpretation of Part 12**

**1.** In this Part—

“guaranteed cash equivalent transfer value payment” means a payment of the description mentioned in rule 4(2) of this Part; and

“public sector transfer arrangements” means arrangements approved by the Secretary of State as providing reciprocal arrangements for the payment and receipt of transfer values between this Scheme and other occupational pension schemes.

##### **Entitlement to transfer value payment**

**2.—**(1) This Part supplements the rights conferred by Chapter IV of Part IV of the 1993 Act (transfer values) (“Chapter IV”).

(2) A firefighter member or deferred member—

(a) to whom Chapter IV applies<sup>(1)</sup>; and

(b) who is not a pension credit member or pensioner member of this Scheme,

is entitled to require the payment of a transfer value in respect of the rights to benefit that have accrued to or in respect of the firefighter member or deferred member under this Scheme.

(3) Subject to the provisions of this Part, any former firefighter member, other than a pensioner member, is entitled to require such a payment as if such rights had accrued to or in respect of the former firefighter member by reference to the pensionable service the former firefighter member is entitled to count under this Scheme (and references in this Part to the former firefighter member’s accrued rights or benefits are to be read accordingly).

(4) Paragraph (3) does not apply if the contributions the former member has paid during the period of service ending with the former member’s ceasing to be a firefighter member are refunded under rule 8 of Part 3 and, where applicable, in accordance with Chapter V of Part IV of the 1993 Act.

(5) Paragraphs (2) and (3) do not apply to rights that are directly attributable to a pension credit.

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(1) See section 93(1)(a) of the Pension Schemes Act 1993 (c. 48).