
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 230

**The Local Government Pension Scheme (Benefits,
Membership and Contributions) (Scotland) Regulations 2008**

Interpretation

2. In these Regulations—

“the 1998 Regulations” means the Local Government Pension Scheme (Scotland) Regulations 1998(1);

“the 1998 Scheme” means the occupational pension scheme constituted by the 1998 Regulations;

“active member” has the same meaning as in section 124(1) of the Pensions Act 1995(2) as applied by regulation 3 (active members);

“administering authority” has the meaning given in Schedule 1 to the Administration Regulations;

“the Administration Regulations” means the Local Government Pensions Scheme (Administration) (Scotland) Regulations 2008(3);

“appropriate administering authority” means the body maintaining the appropriate fund;

“appropriate fund”, in relation to a member, means the fund into which the member pays contributions and from which the member receives benefits;

“deferred member” has the same meaning as in section 124(1) of the Pensions Act 1995;

“eligible child” has the meaning given by regulation 26 (meaning of “eligible child”);

“employing authority” means a body employing an employee who is eligible to be a member;

“financial year” means the year ending 31st March;

“member” has the same meaning as in section 124(1) of the Pensions Act 1995;

“nominated cohabiting partner” has the meaning given by regulation 25 (meaning of “nominated cohabiting partner”);

“part-time employee” means an employee whose contract of employment provides—

- (a) that the employee is a part-time employee for the purposes of the Scheme; or
- (b) that the employee is neither a whole-time employee nor a variable-time employee;

“pensionable pay” has the meaning given in regulation 5 (meaning of “pensionable pay”);

“pension member” has the same meaning as in section 124(1) of the Pensions Act 1995;

“the Scheme” means the Local Government Pension Scheme (Scotland) 2009 constituted by these Regulations;

(1) S.I.1998/366; relevant amending instruments are S.S.I. 2000/199, 2001/23, 2002/311, 2005/293, 315 and 554, 2006/123, 468 and 514, and 2007/71.

(2) 1995 c. 26.

(3) S.S.I. 2008/228

“scheme actuary” means the actuary appointed from time to time by the Scottish Ministers to provide a consulting service on actuarial matters relevant to these Regulations;

“total membership” means the aggregate of periods of membership which count as such under regulation 7 (periods of membership);

“variable-time employee” means an employee whose contract of employment provides that the employee is a variable-time employee for the purposes of the Scheme and–

- (a) whose pay is calculated by reference to the variable-time employee’s duties (rather than necessarily by reference to the number of hours the variable-time employee has worked);
or
- (b) whose duties only have to be performed on an occasional basis; and

“whole-time employee” means an employee whose contract of employment provides–

- (a) that the employee is a whole-time employee for the purposes of the Scheme; or
- (b) that the whole-time employee’s contractual hours are not less than the number of contractual hours for a person employed in that employment on a whole-time basis.