
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 19

The National Health Service (Superannuation Scheme, Pension Scheme and Injury Benefits) (Scotland) Amendment Regulations 2009

PART 2

Amendment of the National Health Service Pension Scheme (Scotland) Regulations 2008

Amendment of regulation 2.A.2

25.—(1) Regulation 2.A.2 (meaning of “pensionable service”) is amended as follows.

(2) In paragraph (6), for “2.D.5(6)(a)” substitute “2.D.5(9)(a)”.

(3) After paragraph (7) insert—

“(8) Where a member is also a member of the NHS superannuation scheme for Scotland 1995, any reference in this Part to “45 years” shall be taken to be a reference to a shorter period determined by the formula—

$$SP = 45 \text{ years} - LPS$$

where—

SP is the shorter period, measured in years and days; and

LPS is the length of pensionable service (within the meaning of the 1995 Regulations), measured in years and days, giving rise to membership of the NHS superannuation scheme for Scotland 1995 and, in the case of a member of that scheme who has become entitled to a pension (including a preserved pension) under that scheme, including any period that was taken into account for the purpose of determining whether the member was entitled to that pension, or for the purpose of calculating the amount of that pension.”.