
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 142

The Police Pension Scheme (Scotland) Regulations 2015

PART 4

Scheme membership

CHAPTER 1

Active membership

Eligible service

- 12.**—(1) A member of the police force—
- (a) is in eligible service; and
 - (b) is eligible to be an active member of this scheme.
- (2) While a person is a protected member of the existing police pension scheme, the person—
- (a) is not in eligible service; and
 - (b) is not eligible to be an active member of this scheme.
- (3) For the purpose of these Regulations, a member of the police force remains in eligible service during—
- (a) a career break; and
 - (b) any other period of unpaid leave—
 - (i) that does not exceed 5 years; and
 - (ii) during which the employment relationship continues⁽¹⁾.
- (4) For the purpose of these Regulations, a member of the police force remains in eligible service during a period of permanent service unless during that period of permanent service that person is in pensionable service in—
- (a) an existing scheme⁽²⁾ that relates to the armed forces or another scheme under section 1 of the Act that relates to the armed forces; or
 - (b) any other occupational pension scheme.

Periods of unpaid leave

- 13.**—(1) For the purpose of determining entitlement to payment of benefits to or in respect of a member of this scheme, the member is taken to be an active member of this scheme during the following periods of unpaid leave—
- (a) a career break; and
 - (b) any other period of unpaid leave—

(1) See regulation 13 (periods of unpaid leave) for periods of unpaid leave during which the employment relationship continues.
(2) See section 18(2) of the Act for the meaning of “existing scheme”.

- (i) that does not exceed 5 years; and
 - (ii) during which the employment relationship continues.
- (2) For the purpose of these Regulations, the employment relationship continues during the following periods of unpaid leave—
- (a) unpaid leave mentioned in regulation 162(1) (option to pay member contributions for period of unpaid leave) that does not exceed 5 years;
 - (b) unpaid sick leave that does not exceed 5 years;
 - (c) a career break;
 - (d) any other period of unpaid leave—
 - (i) that does not exceed 5 years; and
 - (ii) that is approved by the employer as a period in respect of which the employment relationship continues.

Period of permanent service

14. For the purpose of determining entitlement to payment of benefits to or in respect of a member of this scheme, the member is taken to be an active member of this scheme during a period of permanent service.