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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 514**

**The Local Government Pension Scheme  
(Scotland) Amendment (No. 3) Regulations 2006**

**PART 2**

The 85 year rule

**Other early leavers: deferred retirement benefits and elections for early payment**

3. In regulation 30—
  - (a) in paragraph (4), omit the words from the beginning of the paragraph up to and including “is less than 85 years,”; and
  - (b) in paragraph (7), omit the words from “or such earlier date” to the end.

**Re employed and rejoining deferred members**

4. In regulation 31(5)(a), for “, 27(1) and (2) and 30(4)” substitute “and 28”.

**Power of employing authority to increase total membership**

5. After regulation 51(10) insert—

“(11) An additional period arising from a resolution under this regulation on or after 1st April 2008 shall be treated as a period of membership after that date.”.

**Commencement of pensions**

6. Omit regulation 92(2)(b).

**Right to count credited period**

7. In regulation 122—
  - (a) in paragraph (4), omit the words “or, if earlier” to the end of the paragraph; and
  - (b) after paragraph (6), insert—
    - “(6A) A credited period arising from a request to accept a transfer value under regulation 121 which is made by a person who was an active member immediately before 1st December 2006 shall be treated as a period of membership before that date.
    - “(6B) A credited period arising from a request to accept a transfer value under regulation 121 which is made by a person who becomes a member on or after 1st December 2006 shall be treated as a period of membership after that date.”.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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**Rights as to service not matched by credited period**

8. In regulation 123(2), omit sub paragraph (b).

**Credited periods for transferring members with mis sold pension rights**

9. In regulation 124, at the end of paragraph (3) add “(and regulation 122(6B) does not apply to a transfer value credited under this regulation)”.