
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 514

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

PART 3

Miscellaneous

Correction of effective dates

10. In regulations 10A, 19(3A) and 34(1A) for “1st October 2006” wherever it occurs substitute “6th October”.

Tax simplification – transitional provision

11. Schedule 4 to the principal Regulations, as it existed immediately prior to its revocation by the Local Government Pension Scheme (Scotland) Amendment (No. 2) Regulations 2006(1), is revived (and continues to have effect) for the purpose of calculating relevant additional membership under regulation 41(4)(c) of those Regulations counted by reason of a payment made under paragraph 7 of that Schedule for members who had paid a lump sum under that provision before 6th October 2006.

Normal retirement

12. In regulation 24, omit paragraphs (4) and (6).

Effect of increases under this Chapter for older members

13. Omit regulation 53.

Effect of increases under this Chapter for older members

14. Omit regulation 56.

Election for pension in lieu of retirement grant

15. Omit regulation 57.

Scheme employers: Scottish Police Services Authority

16. At the end of Schedule 2 (Scheme employers) insert–

“**12.** The Scottish Police Services Authority established under section 1(1) of the Police, Public Order and Criminal Justice (Scotland) Act 2006(2).”.

17. As new entries at the end of the Table in Part II of Schedule 5 (appropriate funds), insert—

14A. Employee of the Scottish Police Services Authority, other than an employee who falls within entries 14B to 14H below. Fund maintained by City of Glasgow Council.

14B. Former employee of Fife Police Authority who transferred to the Scottish Police Services Authority by virtue of a staff transfer order under paragraph 2 of Schedule 3 to the Police, Public Order and Criminal Justice (Scotland) Act 2006. Fund maintained by Fife Council.

14C. Former employee of Lothian and Borders Joint Police Board who transferred to the Scottish Police Services Authority by virtue of a staff transfer order under paragraph 2 of Schedule 3 to the Police, Public Order and Criminal Justice (Scotland) Act 2006. Fund maintained by City of Edinburgh Council.

14D. Former employee of Dumfries and Galloway Police Authority who transferred to the Scottish Police Services Authority by virtue of a staff transfer order under paragraph 2 of Schedule 3 to the Police, Public Order and Criminal Justice (Scotland) Act 2006. Fund maintained by Dumfries and Galloway Council.

14E. Former employee of Tayside Joint Police Board who transferred to the Scottish Police Services Authority by virtue of a staff transfer order under paragraph 2 of Schedule 3 to the Police, Public Order and Criminal Justice (Scotland) Act 2006. Fund maintained by Dundee City Council.

14F. Former employee of Central Scotland Joint Police Board who transferred to the Scottish Police Services Authority by virtue of a staff transfer order under paragraph 2 of Schedule 3 to the Police, Public Order and Criminal Justice (Scotland) Act 2006. Fund maintained by Falkirk Council.

14G. Former employee of Northern Joint Police Board who transferred to the Scottish Police Services Authority by virtue of a staff transfer order under paragraph 2 of Schedule 3 to the Police, Public Order and Criminal Justice (Scotland) Act 2006. Fund maintained by Highland Council.

14H. Former employee of Grampian Fund maintained by Aberdeen City Council.”
Joint Police Board who transferred to the Scottish Police Services Authority by virtue of a staff transfer order under paragraph 2 of Schedule 3 to the Police, Public Order and Criminal Justice (Scotland) Act 2006.

Transitional provisions

18. The Schedule to these Regulations (transitional provisions) has effect.

Right to opt out

19.—(1) Where—

- (a) apart from this regulation, the amendments made by Part 3 of these Regulations would place any relevant beneficiary in a worse position than he would otherwise be; and
- (b) that relevant beneficiary so elects by notice in writing given to the appropriate administering authority within the period of six months beginning with 1st December 2006,

then the principal Regulations shall have effect in relation to him as if those amendments had never been made.

(2) For the purposes of paragraph (1), a relevant beneficiary is a person to whom any benefit is or may become payable being a benefit payable to or in respect of a person who—

- (a) ceased to hold any employment in respect of which he was a member (whether or not he had subsequently recommenced any such employment); or
- (b) dies while in such employment,

before 1st December 2006.