
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 19

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

PART 3

Amendment of the National Health Service (Injury Benefits) (Scotland) Regulations 1998

86.—(1) The National Health Service (Injury Benefits) (Scotland) Regulations 1998⁽¹⁾ are amended as follows.

(2) In regulation 4 (scale of benefits), for paragraph (6)(a) substitute—

“(a) any pension payable to the person under a relevant pension scheme, disregarding any—

- (i) reduction in the amount of that pension under regulation T5 or T6 of the Superannuation Scheme Regulations (offset for crime, negligence or fraud and loss of rights to benefits) or regulation 2.J.6, 3.J.6, 2.J.7 or 3.J.7 (reduction in benefits in cases where loss caused by member’s crime, negligence or fraud and forfeiture of right to benefits) of the 2008 Regulations;
- (ii) reduction in the amount of that pension under regulation E2A(7) or E7 (lump sum for members in serious ill health and general option to exchange part of pension for lump sum) of the Superannuation Scheme Regulations or regulation 2.D.14, 2.D.15, 3.D.10 or 3.D.11 (general option to exchange part of pension for lump sum and option for members in serious ill health to exchange whole pension for lump sum) of the 2008 Regulations; and
- (iii) increase in the amount of that pension, under the Pensions (Increase) Act 1971, after the date at which the average remuneration used in the calculation of the allowance was calculated;”.

⁽¹⁾ S.I.1998/1594 as amended by S.I. 1999/195 and 444, S.S.I. 2001/437, 2004/212, 2005/512, 2008/92 and 225.