
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 109

The National Health Service Superannuation Scheme
etc. (Miscellaneous Amendments) (Scotland) Regulations 2013

PART 2

AMENDMENT OF THE NATIONAL HEALTH SERVICE
SUPERANNUATION SCHEME (SCOTLAND) REGULATIONS 2011

Amendment of regulation E7

11. For regulation E7(2) (early retirement pension (redundancy etc. new starters and post transition)) substitute—

“(2) Those conditions are that—

- (a) the member has two years’ qualifying service and has attained normal minimum pension age or, where relevant, protected pension age;
- (b) the member’s employing authority certifies—
 - (i) that the member has at least two years’ continuous employment determined in accordance with any terms and conditions applying to that employment; and
 - (ii) if the member’s employment is terminated by reason of redundancy, that the member is entitled to claim a pension under this regulation as an alternative to receiving the lump sum payment (in whole or in part) otherwise payable to him in accordance with those terms and conditions;
- (c) the member’s employing authority does not certify that the member has unreasonably refused to seek suitable alternative employment or accept an offer of such employment;
- (d) the Scottish Ministers certify—
 - (i) that the member’s employment is terminated by reason of redundancy; or
 - (ii) with the agreement of the employing authority, that the member’s employment is terminated in the interests of the efficiency of the service in which the member is employed; and
- (e) the member makes a claim for the pension referred to in this regulation.”.