SCOTTISH STATUTORY INSTRUMENTS

2015 No. 142

The Police Pension Scheme (Scotland) Regulations 2015

PART 13

Supplementary

CHAPTER 1

Dual capacity members

Meaning of "dual capacity member"

189.—(1) A person (P) is a dual capacity member of this scheme if—

(a) P is a member of this scheme in 2 or more of the following capacities—

(i) an active member;

(ii) a deferred member;

(iii) a pensioner member;

(b) P is both a pension credit member of this scheme and a member of this scheme in one or more of the following capacities—

(i) an active member;

(ii) a deferred member;

(iii) a pensioner member;

(c) P is a member of this scheme in relation to 2 or more continuous periods of pensionable service; or

(d) P is a pension credit member of this scheme entitled to 2 or more pension credits.

(2) For the purpose of paragraph (1)(a) and (b)—

(a) in determining whether a person who is an active member is also a pensioner member, the fact that the person is an active member and the person's rights in that capacity are to be disregarded; and

(b) in determining whether a person who is an active member or pensioner member is also a deferred member, the fact that the person is an active member or pensioner member and the person's rights in that capacity are to be disregarded.

Payment of benefits to or in respect of a dual capacity member

190.—(1) If a person is a dual capacity member of this scheme—

(a) the benefits that are payable to or in respect of the member in each of the member's capacities are treated separately for the purposes of these Regulations; and

(b) the amounts payable to or in respect of the member in each of the member's capacities are determined accordingly.

(2) In relation to payment of death benefits, paragraph (1) does not prevent the calculation under regulation 151 (amount of lump sum death grant payable on the death of an active member) of a lump sum death grant payable on the death of an active member of this scheme being made by reference to amounts that are relevant to the member in another capacity.