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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 142**

**The Police Pension Scheme (Scotland) Regulations 2015**

**PART 3**

**Governance**

**Scheme manager**

**5.—**(1) The Scottish Ministers are the scheme manager for this scheme and any statutory pension scheme that is connected with it<sup>(1)</sup>.

(2) The scheme manager is responsible for managing this scheme and any connected scheme.

(3) Pensions and other benefits payable under this scheme are payable by the scheme manager.

(4) A statutory scheme that is a defined contributions scheme is not connected with this scheme<sup>(2)</sup>.

(5) The scheme established by the Police Pensions (Additional Voluntary Contributions) Regulations 1991<sup>(3)</sup> is not connected with this scheme.

(6) The scheme manager may delegate any functions under these Regulations, including this power to delegate.

**Scheme manager's obligation to pass on member's records**

**6.—**(1) Paragraph (2) applies if a member of the police force becomes a member of a police force in England and Wales ("the new police force").

(2) The scheme manager must give the scheme manager for the new police force any information or documents required by the scheme manager for the new police force for the purpose of—

(a) the scheme manager's functions under the 2015 England and Wales police pension scheme; or

(b) records required to be kept by the scheme manager under regulations made under section 16 of the Act.

(3) Paragraph (4) applies if a member of the police force becomes a member of the police service in Northern Ireland ("the NI police service").

(4) The scheme manager must give the scheme manager for the NI police service any information or documents required by the scheme manager for the NI police service for the purpose of—

(a) the scheme manager's functions under the 2015 NI police pension scheme; or

(b) records required to be kept by the scheme manager under regulations made under section 16 of the Public Service Pensions Act (Northern Ireland) 2014<sup>(4)</sup>.

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(1) See Section 4(6) of the Act which sets out when statutory schemes are "connected".

(2) See Section 37 of the Act for the meaning of "defined contributions scheme".

(3) S.I. 1991/1304.

(4) 2014 c.2 (N.I.).

### **Establishment of pension board**

- 7.—(1) A pension board (“the Scottish Police Pension Board”) is established.
- (2) The Scottish Police Pension Board is responsible for assisting the scheme manager in relation to securing compliance with—
- (a) these Regulations;
  - (b) any other legislation relating to the governance and administration of this scheme and any statutory pension scheme that is connected with it; and
  - (c) any requirements imposed by the Pensions Regulator in relation to this scheme or any statutory pension scheme that is connected with it.
- (3) The scheme manager is to determine the process by which the Scottish Police Pension Board discharges its functions.

### **Membership of pension board**

- 8.—(1) Subject to paragraph (2), the scheme manager may determine—
- (a) the membership of the Scottish Police Pension Board;
  - (b) the manner in which the members of the Scottish Police Pension Board may be appointed and removed; and
  - (c) the terms of appointment of the members of the Scottish Police Pension Board.
- (2) The Scottish Police Pension Board is to include equal numbers of members representing the Scottish Police Authority and members of this scheme.

### **Establishment of scheme advisory board**

- 9.—(1) A scheme advisory board (“the Scottish Police Pension Scheme Advisory Board”) is established<sup>(5)</sup>.
- (2) The Scottish Police Pension Scheme Advisory Board is responsible for providing advice to the scheme manager, at the scheme manager’s request, on the desirability of changes to this scheme.
- (3) The scheme manager is to determine the process by which the Scottish Police Pension Scheme Advisory Board discharges its functions.

### **Membership of scheme advisory board**

10. The scheme manager may determine—
- (a) the membership of the Scottish Police Pension Scheme Advisory Board;
  - (b) the manner in which the members of the Scottish Police Pension Scheme Advisory Board may be appointed and removed; and
  - (c) the terms of appointment of the members of the Scottish Police Pension Scheme Advisory Board.

### **Conflict of interest**

- 11.—(1) The scheme manager must be satisfied that—
- (a) any person to be appointed as a member of the Scottish Police Pension Board does not have a conflict of interest within the meaning of section 5(5) of the Act;

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(5) See section 7(6) of the Act for the meaning of “scheme advisory board”.

(b) any person to be appointed as a member of the Scottish Police Pension Scheme Advisory Board does not have a conflict of interest within the meaning of section 7(5) of the Act.

(2) The scheme manager must be satisfied from time to time that none of the members of the Scottish Police Pension Board or of the Scottish Police Pension Scheme Advisory Board has a conflict of interest.

(3) A person who is proposed to be appointed as a member of a relevant Board must provide the scheme manager with such information as the scheme manager reasonably requires for the purposes of paragraph (1).

(4) A person who is a member of a relevant Board must provide the scheme manager with such information as the scheme manager reasonably requires for the purposes of paragraph (2).