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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 142**

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

**PART 7**

**Retirement benefits**

**CHAPTER 1**

**General**

**Application of Part**

77.—(1) This Part applies in relation to retirement benefits payable in respect of a continuous period of pensionable service under this scheme (“period of service”).

(2) In this Part, “active member”, in relation to this scheme, means a person—

- (a) who is an active member of this scheme; or
- (b) who, for the purpose of determining entitlement to payment of benefits to or in respect of the member, is taken to be an active member of this scheme<sup>(1)</sup>.

**Qualifying service**

78.—(1) In these Regulations, “qualifying service” means the total of—

- (a) any continuous period of pensionable service under this scheme not counting—
  - (i) any gap in service;
  - (ii) any career break;
  - (iii) any other period of unpaid leave;
- (b) if a transfer payment has been received by this scheme in respect of a member’s accrued rights under another occupational pension scheme, the member’s period of pensionable service under that scheme;
- (c) for a 2006 transition member with continuity of service, the member’s period of pensionable service under the 2006 scheme before the member’s transition date<sup>(2)</sup>; and
- (d) for a 1987 transition member with continuity of service, the period of pensionable service the member is entitled to reckon under the 1987 scheme before the member’s transition date<sup>(3)</sup>.

(2) In calculating the member’s qualifying service, a period of part-time service under this scheme or under the existing police pension scheme counts as if it were a period of full-time service.

(3) None of the following is counted when calculating qualifying service—

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(1) See Chapter 1 of Part 4 (active membership) for when a member of the police force is taken to be an active member of this scheme.  
(2) This includes any service transferred into the 2006 scheme before the member’s transition date.  
(3) This includes any service transferred into the 1987 scheme before the member’s transition date.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (a) any pensionable service under this scheme in respect of which a person's rights under this scheme are extinguished<sup>(4)</sup>;
- (b) any pensionable service under the existing police pension scheme in respect of which a person's rights under that scheme are extinguished;
- (c) any service transferred into the 1987 scheme after the member's closing date;
- (d) any unauthorised absence from eligible service.

**Descriptions of full retirement pension**

79. For the purpose of this Part, the descriptions of full retirement pension are—

- (a) retirement standard earned pension;
- (b) retirement club transfer earned pension;
- (c) retirement added (self only) pension; and
- (d) retirement added (all beneficiaries) pension.

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(4) Regulation 167 provides for extinguishment of rights following the refund of all members' contributions and payments for added pension made by the member. Regulation 176 provides for extinguishment of rights following the making of a transfer value payment.