
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 142

The Police Pension Scheme (Scotland) Regulations 2015

PART 13

Supplementary

CHAPTER 3

Guaranteed minimum pensions

Contracting-out rights

196.—(1) This regulation applies if—

- (a) P has ceased to be in employment that is contracted-out employment by reference to this scheme; and
- (b) paragraph (2) applies.

(2) This paragraph applies if either—

- (a) a transfer payment in respect of all P's rights to benefits under this scheme, except P's rights in respect of P's guaranteed minimum or rights under section 9(2B) of PSA 1993⁽¹⁾(requirements for certification of schemes: general) ("P's contracting-out rights") has been made; or
- (b) P has no rights to benefits under this scheme apart from P's contracting-out rights.

(3) If this regulation applies—

- (a) from the date on which P reaches GMP age, P is entitled to a pension payable for life at a weekly rate equal to P's guaranteed minimum (if any); and
- (b) from the date on which P reaches normal pension age under this scheme, P is entitled to a lump sum and pension in respect of P's rights under section 9(2B) of PSA 1993.

(4) Despite paragraph (3), P is not to be regarded as a pensioner member of this scheme for the purpose of Part 9 (death benefits).

(5) In this regulation, "contracted-out employment" has the meaning given in section 8(1) of PSA 1993.

(1) Subsection (2B) was inserted by the Pensions Act 1995 (c.26.) section 136(3) and amended by the Social Security Contributions (Transfer of Functions, etc.) Act 1999, Schedule 1, paragraph 35.