
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 433

**The National Health Service Pension Scheme (Scotland)
(Miscellaneous Amendments) (No. 2) Regulations 2017**

PART 2

**Amendment of the National Health Service
Pension Scheme (Scotland) Regulations 2015**

Amendment of regulation 69

9.—(1) Regulation 69 (ill-health pension becomes payable before end of contributions payment period) is amended as follows.

(2) In paragraph (2), omit sub-paragraph (b).

(3) For paragraph (3), substitute—

“(4) If an ill-health pension becomes payable to M in consequence of a claim made after the end of the refund period—

(a) the periodic payments under the additional pension election are treated as being paid until the end of the contributions payment period for the election; and

(b) paragraph (4) applies.

(5) For the purpose of calculating the annual rate of ill-health pension—

(a) if, on consideration of the evidence available, the scheme manager believes that the declaration that accompanied the additional pension election was made in good faith, the amount of accrued additional pension is calculated under paragraph 28 of Schedule 7 as at the last day of pensionable service;

(b) if the scheme manager believes that the declaration was not made in good faith, paragraph (2)(a) to (c) applies.”.