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SCOTTISH STATUTORY INSTRUMENTS

2018 No. 123

NATIONAL HEALTH SERVICE

**The National Health Service Superannuation Scheme
(Scotland) (Miscellaneous Amendments) (No. 2)
Regulations 2017 Amendment Regulations 2018**

<i>Made</i>	- - - -	<i>16th April 2018</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>18th April 2018</i>
<i>Coming into force</i>	- -	<i>1st June 2018</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 10 and 12 and schedule 3 of the Superannuation Act 1972⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 10(4) of that Act, the Scottish Ministers have consulted with such representatives of persons likely to be affected by these Regulations as appear to them to be appropriate.

In accordance with section 10(1) of that Act, these Regulations are made with the consent of the Treasury.

Citation and commencement

1. These Regulations may be cited as the National Health Service Superannuation Scheme (Scotland) (Miscellaneous Amendments) (No. 2) Regulations 2017 Amendment Regulations 2018 and come into force on 1st June 2018.

⁽¹⁾ 1972 c.11. Section 10 was amended by Part II of schedule 7 of the National Health Service (Scotland) Act 1972 (c.58), sections 4(2) and 8(5) and (6) of the Pensions (Miscellaneous Provisions) Act 1990 (c.7) (“the 1990 Act”), paragraph 7 of schedule 8 of the Pension Schemes Act 1993 (c.48), paragraph 10 of schedule 8 of the Public Service Pensions Act 2013 (c.25) and S.I. 2001/3649. Section 12 was amended by section 10 of the 1990 Act. The functions of the Secretary of State, in or as regards Scotland, were transferred to the Scottish Ministers by virtue of S.I. 1999/1750.

Amendment of the National Health Service Superannuation Scheme (Scotland) (Miscellaneous Amendments) (No. 2) Regulations 2017

2. The National Health Service Superannuation Scheme (Scotland) (Miscellaneous Amendments) (No. 2) Regulations 2017(2) are amended in accordance with regulation 3.

3. In regulation 1, for paragraph (2) substitute—

“(2) Provisions in these Regulations have effect as follows—

- (a) regulation 15 has effect from 1st July 2013;
- (b) regulations 5, 7 (but only in respect of the other regulations referred to in this subparagraph), 8, 9, 13, 14, 16 and 18 have effect from 1st April 2015; and
- (c) regulation 4 has effect from 1st April 2016.”.

St Andrew’s House,
Edinburgh
29th March 2018

DEREK MACKAY
A member of the Scottish Government

We consent

16th April 2018

ANDREW STEPHENSON
DAVID RUTLEY
Two of the Lords Commissioners of Her
Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service Superannuation Scheme (Scotland) (Miscellaneous Amendments) (No. 2) Regulations 2017 (“the 2017 Regulations”) to correct an error in those regulations. The error in the 2017 Regulations was that regulation 7 had an effective date of 1st April 2015 but all regulations introduced by that regulation did not share that effective date. The amendment makes clear that regulation 7 of the 2017 Regulations has an effective date of 1st April 2015 only in respect of those regulations introduced by it that share that same effective date. These Regulations also make some other changes to dates from which certain of the 2017 Regulations are to have effect.