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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2015 No.**

**The Teachers' Pension Scheme (Consequential Provisions) (Scotland) Regulations 2015**

**PART 3**

**Modification of early leaver and other provisions**

**Cash transfers and contribution refunds**

**13.**—(1) Chapter 5 of Part 4 of the 1993 Act<sup>(1)</sup> (protection for early leavers: cash transfers and contribution refunds) is modified as follows.

(2) In the application of that Chapter to P as a member of the old scheme—

- (a) in section 101AA(1) (scope of Chapter 5), a reference to termination of P's pensionable service is to be taken as a reference to termination of P's pensionable service in relation to the new scheme;
- (b) in section 101AA(2), a reference in the opening words and in paragraph (a) to P's pensionable service under the scheme is to be taken as a reference to P's pensionable service either for the old scheme or for the old and new schemes taken together; and
- (c) in section 101AB(1) and (3) (right to cash transfer sum and contribution refund), 101AC(1) and (2)(a) (notification of right to cash transfer sum or contribution refund) and 101AI(7) (rights under section 101AB: definition of "reply date"), a reference to termination of P's pensionable service is to be taken as a reference to termination of P's pensionable service in relation to the new scheme.

(3) In the application of that Chapter to P as a member of the new scheme, in section 101AA(2) a reference in the opening words and in paragraph (a) to P's pensionable service under the scheme is to be taken as a reference to P's pensionable service either for the new scheme or for the old and new schemes taken together.

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<sup>(1)</sup> Chapter 5 was inserted by section 264 of the Pensions Act 2004 (c.35).