
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 224

The National Health Service Pension
Scheme (Scotland) Regulations 2008

PART 3

BENEFITS FOR PRACTITIONERS, ETC.

CHAPTER 3.F

TRANSFERS

Transfers in

Acceptance of transfer value payments

3.F.10.—(1) If an application is duly made by a member under regulation 3.F.8, the Scottish Ministers may accept the transfer value payment if such conditions as they may require are met, unless paragraph (4) applies.

(2) If the Scottish Ministers accept the payment—

- (a) the member is entitled to count the increase in the member's pensionable earnings for the purposes of calculating benefits payable to or in respect of the member under the scheme; and
- (b) in the case of a member any of whose service falls to be treated as capped transferred-in service, with such period as so falls counting as such service.

(3) In paragraph (2)(a) "the appropriate increase" means the increase calculated in accordance with regulation 3.F.11.

(4) For the meaning of "capped transferred-in service", see regulation 3.F.12.

(5) The Scottish Ministers may not accept a transfer value payment if—

- (a) it would be applied in whole or in part in respect of the member's or the member's spouse's entitlement to a guaranteed minimum pension; and
- (b) it is less than the amount required for that purpose, as calculated in accordance with guidance and tables prepared by the scheme actuary for the purposes of this paragraph.

(6) Paragraph (5) does not apply if the transfer would be paid under the public sector transfer arrangements.