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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 228**

The Local Government Pension Scheme  
(Administration) (Scotland) Regulations 2008

PART 10

PENSION SHARING

CHAPTER II

*SHARING OF RIGHTS*

**Pension sharing mechanism in the Scheme**

**84.**—(1) Pension sharing is available under the Scheme in respect of any of a person's shareable rights under the Scheme except as otherwise provided in this regulation.

(2) Excluded from shareable rights for the purposes of this Part of these Regulations are any rights under the Scheme in respect of which a person is in receipt of a pension by virtue of being the surviving spouse or other dependant of a deceased member with pension rights under the Scheme<sup>(1)</sup>.

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<sup>(1)</sup> See regulation 2(1) of the Pension Sharing (Valuation) Regulations 2000 (S.I.2000/1052) which describes rights of a description which are not to be classed as shareable rights for the purposes of section 27(2) of the Welfare Reform and Pensions Act 1999 (c. 30).