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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 19**

The National Health Service (Superannuation Scheme, Pension Scheme and Injury Benefits) (Scotland) Amendment Regulations 2009

PART 2

Amendment of the National Health Service Pension Scheme (Scotland) Regulations 2008

**Amendment of regulation 3.D.8**

**65.** In regulation 3.D.8 (re assessment of entitlement to an ill health pension determined under regulation 3.D.7) for paragraph (2)(a), substitute—

- “(a) in the case of a member who—
- (i) does not engage in further NHS employment during the period of 3 years referred to in paragraph (1)(b), the member makes the application in writing before the end of that period; or
  - (ii) does engage in further NHS employment during the period of 3 years referred to in paragraph (1)(b), the member makes the application in writing before the first anniversary of the day on which that employment commences or before the end of that period if sooner;”.