
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 208

The National Health Service (Superannuation Scheme, Pension Scheme and Injury Benefits) (Scotland) Amendment (No. 2) Regulations 2009

PART 3

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

Amendment of regulation 3.E.19

80. In regulation 3.E.19 (amount of lump sum: dual capacity members: members with pensions under regulation 3.D.5)–

(a) in paragraph (1)–

(i) in sub paragraph (a) for “is an active member” substitute “was an active member or a non contributing member”; and

(ii) in sub paragraph (b) for “is” substitute “was”;

(b) for paragraph (2) substitute–

“(2) The lump sum is an amount–

(a) equal to the sum of–

(i) in the case of a deceased active member, twice the appropriate fraction of the annual average of the member’s uprated earnings at the date of death;

(ii) in the case of a deceased non contributing member, twice the appropriate fraction of the annual average of the member’s uprated earnings at the member’s last day of pensionable service; and”;

(c) in paragraph (5) (in the definition of “DPS”) after “active member” insert “or a non contributing member”.