SCOTTISH STATUTORY INSTRUMENTS

2013 No. 174

The National Health Service Superannuation Scheme (2008 Section) (Scotland) Regulations 2013

PART 3

BENEFITS FOR PRACTITIONERS, ETC.

CHAPTER 3.G

RE-EMPLOYMENT AND REJOINING THE SCHEME

Preliminary

Application of Chapter 3.G

3.G.1.—(1) Subject to paragraphs (4) to (7), this Chapter applies to persons who—

(a) have been active members of this Section of the scheme in respect of their service in an employment;

(b) have ceased to be employed in that employment and have become deferred members or pensioner members of this Section of the scheme because of their rights in respect of that service;

(c) become employed again in an employment that qualifies them to belong to this Section of the scheme; and

(d) become active members of this Section of the scheme in respect of their service in that employment.

(2) In this Part, a member to whom this Chapter applies is referred to as a "re-employed member".

(3) In this Chapter, in relation to any re-employed member—

(a) the service referred to in paragraph (1)(a) is referred to as "the earlier service"; and

(b) the service referred to in paragraph (1)(d) is referred to as "the later service".

(4) This Chapter also applies to members who—

(a) cease to be active members in respect of their service in an employment as the result of exercising the option under regulation 3.B.6 (opting out of this Section of the scheme); and

(b) later become active members in that or another employment,

as it applies to members who cease to be employed in the employment in which they are active members, and paragraph (3) must be read accordingly.

(5) This Chapter does not apply if the earlier service and the later service are treated as a single continuous period of pensionable service under regulation 3.A.4(6) (pensionable service: breaks in service).

(6) Regulation 3.G.4 (effect of re-employment on upper tier ill health pensions) applies whether or not the employment mentioned in paragraph (1)(c) is employment that qualifies the member to belong to this Section of the scheme.

(7) If a re-employed member ceases to be an active member again, this Chapter applies again in respect of the later service as if it were the earlier service (and so on).