

SCHEDULE 3

Transitional provisions

PART 6

Payment of benefits to transition members

CHAPTER 2

Application for payment of benefits

Reduction of ill-health pension and total incapacity pension

- 30.**—(1) This paragraph applies to a transition member (P) if—
- (a) P is entitled to receive benefits payable under this scheme, including total incapacity pension; and
 - (b) P was in receipt of previous ill-health pension following an application which was received by the Scottish Ministers before 1st April 2007.
- (2) When this paragraph applies, the scheme manager may determine after taking advice from the scheme actuary that either or both of the following benefits are reduced—
- (a) P's total incapacity benefits under this scheme;
 - (b) part of P's ill-health benefits under regulation E17 of the 2005 Regulations (including any by reference to paragraph 29).