
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 239

The Police Pensions (Remediable Service) (Scotland) Regulations 2023

PART 6

Transfers

CHAPTER 4

Treatment of rights secured by virtue of a remediable value

Remediable value treated as being in the legacy scheme

45.—(1) This regulation applies where—

- (a) a remediable value was accepted into the reformed scheme by the scheme manager in respect of M—
 - (i) during the period of M’s remediable police service, and
 - (ii) where M was a member of the 1987 scheme, after 1st October 2023 and within an election period set by the scheme manager, and
- (b) the benefits payable in relation to M’s remediable police service are, by virtue of the operation of these Regulations or PSPJOA 2022, legacy scheme benefits.

(2) The remediable value—

- (a) is not, and is treated as never having been, accepted into reformed scheme, and
- (b) is treated as being, and as always having been, accepted in M’s legacy scheme.

(3) Paragraph (1) has effect—

- (a) for the purposes of determining which police pension scheme is (or at any time was) required to pay benefits to or in respect of the remediable value, and
- (b) for all other purposes, subject to regulation 46.

(4) In this regulation, the “election period” means a period of 12 months beginning when the scheme manager provides notice of the option for M to elect to transfer in benefits under the provisions of the 1987 Regulations that applied during the remediable service period.