
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 241

The Teachers' Pensions (Remediable Service) (Scotland) Regulations 2023

PART 6

Transfers

CHAPTER 1

General

Interpretation of Part 6

44.—(1) In this Part—

“receiving scheme”, in relation to a remediable value, means the scheme to which the remediable value was, or is to be, paid,

“reformed public service pension scheme” means—

- (a) a Chapter 1 scheme⁽¹⁾,
- (b) a judicial scheme within the meaning of section 70(1) of PSPJOA 2022,
- (c) a local government scheme within the meaning of section 86(1) of PSPJOA 2022,

“remediable club transfer value”, in relation to a member, means the payment or acceptance by the scheme manager of a club transfer value under—

- (a) Chapter 2 of Part G of the 2005 Regulations,
- (b) Chapter 3 of Part 10 of the 2014 Regulation,

so far as the club transfer value relates to the member's remediable rights,

“remediable rights”, in relation to a member, means the member's rights to benefits under a reformed public service pension scheme secured by virtue of the member's remediable service,

“remediable transfer value”, in relation to a member, means the payment or acceptance by the scheme manager of a transfer value under—

- (a) Chapter 4 of Part G of the 2005 Regulations,
- (b) Chapter 2 of Part 10 of the 2014 Regulations,

so far as the transfer value relates to the member's remediable rights,

“remediable value” means a remediable club transfer value or a remediable transfer value,

“sending scheme”, in relation to a remediable value, means the scheme which paid, or is to pay, the remediable value.

(2) Where a provision of this Part requires the scheme manager to calculate a club transfer value or a transfer value (including a remediable club transfer value or a remediable transfer value) in

(1) See section 33 of PSPJOA 2022 for the meaning of “Chapter 1 scheme”.

relation to rights secured in a teacher pension scheme, that value is to be calculated in accordance with—

- (a) the provisions of the teacher pension scheme which apply to the calculation of values of that type, and
- (b) the guidance and tables provided for the purpose of calculating such values that were, or are, in use on the date used for the calculation of the value which originally secured rights under a teacher pension scheme.

Transferred out remediable service statements

45. Where a remedy member has transferred any rights in respect of remediable service out of a teacher pension scheme, the scheme manager must provide a transferred out remediable service statement in accordance with direction 6(2) to (4) of the PSP Directions 2022 (and direction 6(4) applies as if the reference to “any provision made by virtue of section 29(1) of PSPJOA 2022” were a reference to regulation 4).