
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 241

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

PART 7

Provision about special cases

CHAPTER 2

Miscellaneous special cases

Immediate choice members with excess teacher service

66.—(1) This regulation applies in relation to an immediate choice member (“M”) who has excess teacher service within the meaning of section 110(2)(b) of PSPJOA 2022 (“relevant excess teacher service”).

(2) Section 2(1) of PSPJOA 2022 does not apply in relation to M’s remediable teacher service until the sooner of—

- (a) an immediate choice decision being made in relation to that service, or
- (b) the end of the section 6 election period in relation to M.

(3) Where—

- (a) section 2(1) of PSPJOA 2022 has effect in relation to M’s remediable teacher service, and
- (b) a section 6 election has been made, or deemed to have been made, in relation to that service,

section 4(4) of PSPJOA 2022 does not apply in relation to M’s relevant excess teacher service (and, accordingly, the relevant Chapter 1 legacy scheme in relation to that excess teacher service is the legacy scheme).