
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 246

**The National Health Service Pension Schemes
(Remediable Service) (Scotland) Regulations 2023**

PART 5

Divorce or the dissolution of a civil partnership

Interpretation of Part 5

25. In this Part—

“the 1999 Act” means the Welfare Reform and Pensions Act 1999⁽¹⁾;

“the 2000 Regulations” means The Pensions on Divorce etc. (Provision of Information) Regulations 2000⁽²⁾;

“appropriate amount” means the appropriate amount for the purposes of section 29(1) of the 1999 Act (creation of pension debits and credits) determined in accordance with section 29(2) or (3) (whichever is relevant) of that Act but converted, where it is determined in accordance with section 29(3), into a percentage using the formula—

$$(A \times 100) / B$$

where—

A is the amount specified to be transferred, and

B is the valuation of pension benefits at the valuation date provided by the scheme manager;

“non-remediable service shareable rights” means the shareable rights of the remedy member that are not remediable service shareable rights on the day before the transfer day;

“operative time” means—

(a) if an election under regulation 9 is made in relation to a pension debit member’s remediable service, the time the election is made or otherwise the end of the immediate choice election period;

(b) if an election under regulation 12 is made in relation to a pension debit member’s remediable service, the time the election is made or otherwise the end of the deferred choice election period;

“pension debit” means a debit of the appropriate amount under section 29(1)(a) of the 1999 Act;

“remediable service shareable rights” means the shareable rights of the remedy member obtained by virtue of the remedy member’s remediable service during the period beginning with 1 April 2015 and ending with the earlier of—

(a) the day before the transfer day, or

(1) 1999 c. 30.

(2) S.I. 2000/1048.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) the last day of the member's remediable service;
- "shareable rights" has the meaning given in section 27(2) of the 1999 Act (scope of mechanism);
- "transfer day" has the meaning given in section 29(8) of the 1999 Act;
- "valuation day" has the meaning given in section 29(7) of the 1999 Act.