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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 246**

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

**PART 6**

Transfers

**Transferred in remediable rights treated as being the legacy scheme**

**54.**—(1) Where this regulation applies (see regulation 53) and the transferred in remediable rights of a member (“M”) would, apart from this regulation, be rights to benefits under the 2015 scheme, the rights—

- (a) are not, and are treated as never having been, rights under the 2015 scheme, and
- (b) are treated as being, and as always having been, rights under the relevant Section of the legacy scheme.

(2) Paragraph (1) has effect—

- (a) for the purposes of determining which Section of the legacy scheme is (or at any time was) required to pay benefits to or in respect of M’s transferred in remediable rights, and
- (b) subject to regulation 56, for all other purposes.