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Addressees as listed below

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Sharon.liptrott@scotland.gsi.gov.uk

Your ref:

Our ref: NHS/01/25

6 July 2009

Dear Colleague

**The National Health Service (Superannuation Scheme, Pension Scheme, Injury Benefits and Additional Voluntary Contributions), (Scotland) Amendment Regulations 2009 no.3**

I enclose, for your comments, a copy of the draft regulations which will amend the NHS Superannuation Scheme (Scotland) Regulations 1995, the NHS Pension Scheme (Scotland) Regulations 2008, the NHS (Scotland) (Injury Benefits) Regulations 1998 and the National Health Service (Scotland) Additional Voluntary Contributions) Regulations 1988. These draft regulations will make changes necessary as a result of allowing members in the 1995 section of the scheme the choice to transfer to the 2008 section of the scheme from 1 October 2009. The proposed changes mirror those recently consulted on in England and Wales and include regulations to cover the following:

- Member's choice as to whether to transfer all service in the 1995 section to the 2008 section of the scheme
- Transitional arrangements for certain members on opting to transfer
- Mandatory lump sums
- GP flexibility provisions
- Determining GP earnings from transferred-in officer service
- 1995 lower tier ill health pensioners
- The position of 1995 members who are on unpaid sick leave on and after 1 October 2009
- Clarification that a member of the scheme under the 1995 regulations is a "1995 section" member and that a member of the scheme under the 2008 regulations is a "2008 section" member (there is only one scheme).
- That a member who chooses to transfer membership from the 1995 section to the 2008 section will be referred to as an "2008 optant"



## CONSULTATION

More detailed information on all the changes can be found in the annex to this letter.

Comments should be sent to me at the above address or by e-mail to [Sharon.Liptrott@Scotland.gsi.gov.uk](mailto:Sharon.Liptrott@Scotland.gsi.gov.uk) **by Friday 14<sup>th</sup> August.**

If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly. All respondents should however be aware that the SPPA is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to the Agency under the Act for information relating to responses made to this consultation exercise.

Yours sincerely

Sharon Liptrott (Mrs)  
Policy Manager, NHSSS

### **Addressees**

Chief Executives NHS Boards  
HR Directors NHS Boards  
Scottish NHS Pensions Group (SPG)  
SPPA Technical Working Group  
NHS Trade Unions and Professional Organisations  
Scottish General Practitioners Committee  
Institute of Health Service Management  
Scottish Practice Nurse Association  
Women's National Committee  
SGHD Directorate of Primary Care  
SGHD Health Workforce Directorate  
SGLD Finance  
NHS Retirement Fellowship  
Home Office, Police and Firemen's Pension Schemes  
Department of Finance and Personnel, Northern Ireland  
NHS BSA Pensions Division  
Department for Children, Schools and Family  
Cabinet Office  
Department for Communities and Local Government  
DWP  
GAD  
HM Treasury  
Savings, Pensions, Share Schemes HMRC  
SGLD  
SPPA Senior and Regional Managers



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