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*Status: This is the original version (as it was originally enacted).*

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SCHEDULE 1  
SCOTTISH PARLIAMENTARY PENSION SCHEME

**PART J**

SURVIVING PARTNERS AND CHILDREN

**CHAPTER 3**

CHILDREN'S PENSIONS

*Eligible children*

- 63 (1) A “child”, in relation to a deceased individual, includes—
- (a) an adopted child, and
  - (b) a stepchild who, when the deceased died, was—
    - (i) financially dependant on the deceased, or
    - (ii) dependant on the deceased because of physical or mental impairment.
- (2) A deceased's child is an “eligible child” for any period starting on or after the date of the deceased's death during which any of the following conditions are met—

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<i>Condition 1</i>	The child is born and aged 17 or under.
<i>Condition 2</i>	The child— <ul style="list-style-type: none"><li>(a) is aged over 17 but under 23,</li><li>(b) was, when the deceased died—<ul style="list-style-type: none"><li>(i) financially dependant on the deceased, or</li><li>(ii) aged 17 or under, and</li></ul></li><li>(c) would, in the opinion of the Fund trustees, be financially dependant on the deceased had the deceased survived.</li></ul>
<i>Condition 3</i>	The child— <ul style="list-style-type: none"><li>(a) was dependant on the deceased because of physical or mental impairment when he or she died, and</li><li>(b) would, in the opinion of the Fund trustees, still be so dependant had the deceased survived.</li></ul>

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