
Changes to legislation: There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Paragraph 70. (See end of Document for details)

SCHEDULE 1 SCOTTISH PARLIAMENTARY PENSION SCHEME

PART L

5 YEAR GUARANTEE

Guaranteed lump sum where scheme pensioner dies aged under 75 with no surviving partner

- 70 (1) A lump sum (a “guaranteed lump sum”) is to be paid to the personal representatives of any scheme pensioner who—
- (a) dies before the end of his or her initial pension period,
 - (b) was aged under 75 when he or she died, and
 - (c) does not leave a surviving partner.
- (2) A guaranteed lump sum is to be equal to—
- (a) the amount of scheme pension which would have been paid to the deceased from time of death until the end of his or her initial pension period, less
 - (b) the amount of children's pension (if any) which the Fund trustees consider likely to be payable from that time until the end of that period.
- (3) An additional lump sum is to be paid to the deceased's personal representatives if the Fund trustees consider that the amount of any guaranteed lump sum (or any previous additional lump sum) should have been more than the amount paid (because they have revised their estimate of the amount of children's pension which they consider likely to be payable).
- (4) An additional lump sum is to be equal to the difference between the amount of the guaranteed lump sum (together with any previous additional lump sum) and the amount which the Fund trustees consider should have been paid.
- (5) A guaranteed lump sum or additional lump sum may be paid under this rule only if the Fund trustees are satisfied that, if paid, the lump sum would be a “defined benefits lump sum death benefit” for the purposes of Part 2 of Schedule 29 to the Finance Act 2004 (c. 12).

Changes to legislation:

There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Paragraph 70.