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**Changes to legislation:** There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009,  
Cross Heading: Special rule for commutation by individual approaching the age of 75. (See end of Document for details)

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## SCHEDULE 1 SCOTTISH PARLIAMENTARY PENSION SCHEME

### PART G

#### RETIREMENT LUMP SUMS

##### *Special rule for commutation by individual approaching the age of 75*

- 44 (1) This rule applies to an individual who—
- (a) gives a valid commutation notice before reaching the age of 75, and
  - (b) would not (but for this rule) be entitled to be paid a scheme pension at that time by reason only of being a serving MSP or the holder of a pensionable office.
- (2) Despite rule 37(1)(c)—
- (a) an individual to whom this rule applies is to be entitled to be paid a scheme pension from the day before the member's 75th birthday, but
  - (b) the amount of scheme pension so payable is to be nil until the individual is neither an MSP nor the holder of a pensionable office.

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Cross Heading: Special rule for commutation by individual approaching the age of 75.