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**Changes to legislation:** There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Paragraph 14. (See end of Document for details)

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### SCHEDULE 3 TRANSITIONAL PROVISIONS AND SAVINGS

#### *5 year guarantee*

- 14 (1) The Fund trustees may, instead of continuing to pay a deceased scheme pensioner's scheme pension under new scheme rule 71, pay to the deceased's personal representatives an amount equal to the lump sum which would have been payable under article M4 of the 1999 scheme rules if those had continued in force.
- (2) But such a lump sum may be paid only if—
- (a) the deceased participated in the scheme before the new rules day, and
  - (b) the payment would, by virtue of paragraph 36 of Schedule 36 to the Finance Act 2004 (c. 12), be permitted by the lump sum death benefit rule (see section 168 of that Act).

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Paragraph 14.