Changes to legislation: *There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Cross Heading: Special provision for participants reaching age of 75 before the new rules day. (See end of Document for details)*

SCHEDULE 3
TRANSITIONAL PROVISIONS AND SAVINGS

Special provision for participants reaching age of 75 before the new rules day

9 (1) This paragraph applies to an individual who—

(a) is participating in the scheme in accordance with the 1999 scheme rules, and

(b) is aged under 75 when this paragraph comes into force but will reach the age of 75 before the new rules day.

(2) An individual to whom this paragraph applies may, before reaching the age of 75, give notice to the SPCB that he or she desires to commute into a lump sum such part of his or her pension as is specified in the notice.

(3) An individual who gives such a notice is to be treated for the purposes of Part G of the 1999 scheme rules as having given an equivalent notice under article G1(1) (and Part G is to apply accordingly).

(4) Despite article F1(a) and (b) and article F2 of the 1999 scheme rules—

(a) the fact that an individual who gives such a notice is—

(i) an MSP, or

(ii) the holder of a qualifying office (within the meaning of article C2(3) of the 1999 scheme rules),

does not prevent the individual from being entitled to receive a pension, from the day before the individual's 75th birthday, in accordance with article F1 or F2 of the 1999 scheme rules, but

(b) the amount of pension so payable is to be nil until the individual is neither an MSP nor the holder of such an office.

Changes to legislation:
There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Cross Heading: Special provision for participants reaching age of 75 before the new rules day.