
Changes to legislation: There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, SCHEDULE 2. (See end of Document for details)

SCHEDULE 2

(introduced by section 2)

GRANTS PAYABLE ON LEAVING OFFICE

MSP resettlement grant

- 1 (1) The SPCB must pay a grant (an “MSP resettlement grant”) to each individual who—
- (a) is an MSP immediately before a dissolution of the Scottish Parliament, but
 - (b) is not returned as an MSP at the next general election held under Part 1 of the Scotland Act 1998 (c. 46).
- (2) An MSP resettlement grant is not payable to the personal representatives of an individual who dies before the election concerned.

MSP ill-health retirement grant

- 2 (1) The SPCB must pay a grant (an “MSP ill-health retirement grant”) to an ex-MSP who applies for such a grant if—
- (a) the applicant resigned as an MSP at any time other than immediately before a dissolution of the Scottish Parliament, and
 - (b) the SPCB is satisfied that the resignation was a direct consequence of a health condition which prevented the applicant from performing adequately his or her duties as an MSP.
- (2) The SPCB may, for the purposes of so satisfying itself, require—
- (a) an applicant to provide evidence from a doctor of the applicant's state of health,
 - (b) an examination of the applicant by a doctor nominated by the SPCB (with examination costs borne as the SPCB may determine).

Amount of MSP grants

- 3 (1) The amount of an MSP resettlement grant or MSP ill-health retirement grant is to be equal to the appropriate percentage of the annual MSP salary payable in accordance with section 81(1) of the Scotland Act 1998 (c. 46) when the individual stopped being an MSP.

“appropriate percentage” means the higher of—

- (a) 50%, and
- (b) X%, “X” being equal to—

$$\frac{A}{12} \times 100$$

where “A” is the number of complete continuous years for which the individual has been an MSP (up to a maximum of 12).

- (2) When determining “A”, any period during which the individual to whom the grant is payable was a dual mandate MSP is to be reduced by the same proportion as the individual's MSP salary was reduced during that period by virtue of section 82(2) of the Scotland Act 1998 (c. 46).

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- (3) Sub-paragraph (2) does not apply in relation to any period—
- (a) during which an individual who is an MSP on the day on which this paragraph comes into force is an MSP, and
 - (b) which occurs before the first general election held under Part 1 of the Scotland Act 1998 (c. 46) after that day.

Office-holder resettlement grant

- 4 (1) The SPCB must pay a grant (an “office-holder resettlement grant”) to an individual who—
- (a) stops being the holder of a pensionable office, and
 - (b) is not appointed as the holder of a pensionable office during the following 90 days.
- (2) The amount of an office-holder resettlement grant is to be equal to the appropriate percentage of the annual office-holder salary payable to the individual when the individual left office.
- “appropriate percentage” means—
- (a) in the case of the Presiding Officer or First Minister, the higher of—
 - (i) 50%, and
 - (ii) X%, “X” being equal to—

$$\frac{A}{12} \times 100$$

where “A” is the number of complete continuous years for which the individual has been Presiding Officer or First Minister (up to a maximum of 12),

- (b) in any other case, 25%.
- (3) An office-holder resettlement grant is not payable—
- (a) to the personal representatives of an individual who—
 - (i) stops holding a pensionable office because he or she dies, or
 - (ii) dies during the period of 90 days after the individual stops holding a pensionable office, or
 - (b) to any individual who, on the day this paragraph comes into force, is or has been—
 - (i) the Presiding Officer, or
 - (ii) the First Minister.

Key terms

- 5 The following terms have the same meaning in this schedule as they have in the Scottish Parliamentary Pension Scheme (see schedule 1)—
- “doctor”
- “dual mandate MSP”
- “holder of a pensionable office”
- “MSP”

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“MSP salary”
“office-holder salary”
“SPCB”

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