STATUTORY INSTRUMENTS

1999 No. 1082

The Scotland Act 1998 (Transitory and Transitional Provisions) (Scottish Parliamentary Pension Scheme) Order 1999

PART M

FIVE YEAR GUARANTEE

Deceased pensioner office holders

M7.—(1) Articles M2 to M6 shall apply in relation to a deceased pensioner office holder and his surviving spouse and any eligible child or children as they apply in relation to a deceased pensioner member and his surviving spouse and eligible child or children but where those articles apply in relation to a deceased pensioner office holder–

(a) any reference to "pensioner member" shall be construed as a reference to "pensioner officer holder";

(b) any reference to "the pensioner member's children's prospective pension end date" shall be construed as a reference to "the pensioner officer holder's children's prospective pension end date";

(c) any reference to "the pensioner member's five year period" shall be construed as a reference to "the pensioner office holder's five year period"; and

(d) any reference to article F1 or H1 shall be construed respectively as a reference to article F3 or H2;

(2) In this Part–

"the pensioner office holder's children's prospective pension end date" means, in respect of any eligible child of a deceased pensioner office holder, the sooner of–

(a) the date before that on which the child reaches the age of 17 or, in the case of a child falling within article K2(5)(b), such later date as the Parliamentary corporation may determine, being no later than the date before that on which the child reaches the age of 22; and

(b) the end of the pensioner office holder's five year period;

"the pensioner office holder's five year period" means the period of five years beginning with the day on which he became entitled to receive a pension under article F2 (including an early retirement pension or an ill-health pension payable by virtue of article H2, J1 or J3).