
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 437

**The National Health Service (Superannuation Scheme,
Injury Benefits and Compensation for Premature
Retirement) (Scotland) Amendment Regulations 2001**

Payment of lump sum on death

11. For paragraphs (1) to (3) of regulation F5 there shall be substituted—

“(1) A lump sum under any of regulations F1 to F4 shall be paid in accordance with the following paragraphs.

(2) Unless paragraph (3) or (3A) below applies, the lump sum shall be paid to the member’s personal representative.

(3) Where the member dies and leaves a widow or widower, the lump sum may be paid to the widow or widower, unless—

(a) the member has given notice to the Scottish Ministers in accordance with paragraph (3B) below that the widow or widower is not to receive the payment, and has not revoked that notice; or

(b) paragraph (3A) below applies.

(3A) Where the member has given notice to the Scottish Ministers in accordance with paragraphs (3B) and (3C) below that the lump sum is to be paid to a person specified in the notice, and has not revoked that notice, the lump sum may be paid to that person unless—

(a) that person has died before the payment can be made; or

(b) payment to that person is not, in the opinion of the Scottish Ministers, reasonably practicable.

(3B) Notice to the Scottish Ministers for the purpose of paragraph (3) or (3A) above—

(a) shall be given only by a member who is in pensionable service under the scheme;

(b) shall be given in writing; and

(c) may at any time be revoked in writing;

and, subject to sub-paragraph (a) above, a member who revokes such a notice may give further notice for the purpose of one of those paragraphs.

(3C) A notice given for the purpose of paragraph (3A) above shall specify one person, who may be—

(a) an individual;

(b) a body corporate; or

(c) an unincorporated body.”.