
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 142

The Police Pension Scheme (Scotland) Regulations 2015

PART 9

Death benefits

CHAPTER 8

Death gratuities

Application of Chapter

154.—(1) This Chapter applies in relation to a member’s continuous period of pensionable service under this scheme (“the period of service”).

(2) If a member has more than one period of service, this Chapter applies in relation to each period of service.

Death gratuities - dependants

155.—(1) This regulation applies in relation to a member of this scheme—

- (a) who dies as a deferred member or pensioner member of this scheme if the death results from an injury received in the execution of duty; or
- (b) who dies as a pensioner member of this scheme if the member dies within 2 years after becoming a pensioner member.

(2) The scheme manager may in its discretion grant a gratuity to any person who at the date of the member’s death was in the opinion of the scheme manager—

- (a) wholly or partly financially dependent on the member; or
- (b) wholly or partly dependent on the member because of physical or mental impairment.

(3) The total amount of any gratuities granted under this regulation must not exceed the sum of all member contributions and payments for added pension made by the member under this scheme.

Death gratuity - estate

156.—(1) This regulation applies in relation to a member of this scheme—

- (a) who dies as a deferred member or pensioner member of this scheme if the death results from an injury received in the execution of duty; or
- (b) who dies as a pensioner member of this scheme if the member dies within 2 years after becoming a pensioner member.

(2) If the sum of the amounts in paragraph (3) is less than the sum of all member contributions and payments for added pension made by the member under this scheme, the scheme manager must pay to the member’s executors a gratuity equal to the difference.

(3) The amounts are—

- (a) any amount of pension or lump sum paid to the member in relation to the period of service, together with any increase under PIA 1971;
 - (b) the capitalised value (determined by the scheme manager in accordance with actuarial tables) of any surviving adult's pension or eligible child's pension granted in respect of the member's death;
 - (c) if the member is also a pension credit member, the actuarial value of any pension credit; and
 - (d) any gratuity granted under regulation 155 (death gratuities - dependants) in respect of the member's death.
- (4) For the purpose of an appeal to the sheriff under regulation 197 or an appeal to a tribunal under regulation 198, a claim for payment of a gratuity under this regulation is taken to be made on the date of the member's death.