
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 142

The Police Pension Scheme (Scotland) Regulations 2015

PART 13

Supplementary

CHAPTER 5

Forfeiture and set-off

Forfeiture: offences committed by a member's beneficiary

202.—(1) If the beneficiary of a deceased member of this scheme is convicted of a relevant criminal offence, the pension supervising authority may, to the extent the pension supervising authority considers appropriate, require the scheme manager to withhold benefits payable to the beneficiary in respect of the member.

(2) The scheme manager may withhold benefits but may only withhold that part of a pension that exceeds any guaranteed minimum to which the beneficiary is entitled under section 17 of PSA 1993.

(3) If the scheme manager withholds all of the benefits payable to a beneficiary, Part 9 (death benefits) applies as if the beneficiary had died before the member.

(4) In this regulation—

“beneficiary”, in relation to a deceased member of this scheme, means the surviving adult or eligible child of the member;

“relevant criminal offence” means—

- (a) the murder of the member;
- (b) the culpable homicide of the member; or
- (c) any other offence of which the unlawful killing of the member is an element.