
STATUTORY INSTRUMENTS

1999 No. 1082

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

PART H

EARLY RETIREMENT AND EARLY ABATED PENSIONS

Early retirement for members

H1.—(1) Where a person who—

- (a) has ceased to be a member of the Parliament;
- (b) is not the holder of a qualifying office;
- (c) has attained the age of 50; and
- (d) has an actual period of reckonable service as a participating member which amounts to not less than 15 years (hereinafter referred to in respect of a person as his “qualifying period”),

applies in writing to the Parliamentary corporation for an immediate pension under this article then, if the Parliamentary corporation is satisfied that he does not intend to stand for re-election to the Parliament, he shall be entitled to receive a pension under article F1 as if he had attained the age of 65 on the date of his application or, if later, such other date as may be there specified; but the annual amount of the pension to which he is so entitled, both before and after he attains the age of 65, shall (subject to Part G (commutation)) be an amount calculated in accordance with article F3 and abated in accordance with Schedule 4.

(2) For the purposes of this article service of a person as a member of the European Parliament or as a member of the House of Commons may count towards his qualifying period to the extent that it is not concurrent with service as a member of the Parliament.

Early retirement for office holders who have been members

H2. A person who is entitled to receive a pension under article H1 who is or has been a participating office holder shall (subject to Part G (commutation)) be entitled also to receive a pension under article F2 calculated in accordance with article F3 and abated in accordance with Schedule 4 and payable from the same date as the pension payable under article H1.