
Changes to legislation: There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Paragraph 75. (See end of Document for details)

SCHEDULE 1
SCOTTISH PARLIAMENTARY PENSION SCHEME

PART N

TRANSFERS

CHAPTER 1

TRANSFERS OUT

Transfers to other pension schemes

75 An individual's transferable sum must be transferred from the Pension Fund if the following conditions are met—

<i>Condition 1</i>	The individual— (a) has been but is no longer a participating member, and (b) is not a scheme pensioner.
<i>Condition 2</i>	The individual has total reckonable service of at least 3 months.
<i>Condition 3</i>	The Fund trustees have given the individual a statement of entitlement in pursuance of section 93A of the Pension Schemes Act 1993 (c. 48).
<i>Condition 4</i>	The individual gives the Fund trustees notice (a “transfer-out notice”)— (a) specifying the way in which the transferable sum is to be transferred, and (b) setting out any other information which the Fund trustees may reasonably require in relation to the transfer.
<i>Condition 5</i>	The transfer-out notice is given before the later of— (a) the day falling 6 months after the individual stopped being a participating member, and (b) the individual's 64th birthday.
<i>Condition 6</i>	The transfer-out notice is given within 3 months of the guarantee date relating to the statement of entitlement (see [F1section 93A(4)] of the Pension Schemes Act 1993 (c. 48)).

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Condition 7

The way in which the transferable sum is to be transferred is permitted by section 95(2) of the Pension Schemes Act 1993 (c. 48).

Condition 8

The transfer—
(a) would be a recognised transfer for the purposes of section 169 of the Finance Act 2004 (c. 12), and
(b) is not prohibited by any other enactment.

Textual Amendments

- F1** Words in [sch. 1 para. 75](#) substituted (6.4.2015) by [Pension Schemes Act 2015 \(c. 8\)](#), s. 89(3)(b), [Sch. 4 para. 43\(2\)](#) (with s. 87)

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