
Status: Point in time view as at 01/09/2009.

Changes to legislation: There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Cross Heading: Review of ill-health pension entitlements. (See end of Document for details)

SCHEDULE 1 SCOTTISH PARLIAMENTARY PENSION SCHEME

PART I

ILL-HEALTH

Review of ill-health pension entitlements

- 53 (1) The Fund trustees may review an individual's entitlement to an ill-health pension at any time before the individual reaches the age of 65 (and may carry out such a review at regular intervals determined by them).
- (2) The Fund trustees may require an individual whose entitlement is being reviewed to provide evidence from a doctor on the individual's state of health.
- (3) The Fund trustees may, if satisfied following a review that the individual's state of health no longer prevents the individual from doing gainful work, determine that the individual—
- (a) is no longer to be entitled to a ill-health pension, or
 - (b) is to be entitled to an ordinary ill-health pension instead of a serious ill-health pension (where they remain satisfied that the individual's state of health still prevents the individual from adequately performing the duties of an MSP or a holder of a pensionable office).
- (4) The Fund trustees may determine that an individual who refuses to be examined in accordance with rule 54, or who otherwise fails to co-operate with a review, is no longer to be entitled to an ill-health pension.
- (5) If the Fund trustees make a determination under this rule—
- (a) pension payments are to stop or, as the case may be, be reduced from the date of the determination, and
 - (b) the scheme is to operate in relation to the individual from then onwards as if the individual had not been entitled to an ill-health pension or, as the case may be, to a serious ill-health pension.

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