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*Status: Point in time view as at 01/09/2009.*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: Partner's trivial lump sum. (See end of Document for details)*

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## SCHEDULE 1 SCOTTISH PARLIAMENTARY PENSION SCHEME

### PART J

#### SURVIVING PARTNERS AND CHILDREN

#### CHAPTER 2

#### PARTNER'S PENSION ETC.

##### *Partner's trivial lump sum*

- 61 (1) The Fund trustees may pay a lump sum (a “partner's trivial lump sum”) to an individual who is entitled to a partner's pension if the following conditions are met—

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| <i>Condition 1</i> | The individual applies to the Fund trustees for payment of a partner's trivial lump sum instead of a partner's pension.  |
| <i>Condition 2</i> | No payment relating to the deceased has been made to the individual by way of—<br>(a) a partner's pension, or<br>(b) a death in service lump sum.  |
| <i>Condition 3</i> | The individual is not entitled to receive pension payments under rule 69.  |
| <i>Condition 4</i> | The Fund trustees are satisfied that, if paid, the partner's trivial lump sum would be a “trivial commutation lump sum death benefit” for the purposes of Part 2 of Schedule 29 to the Finance Act 2004 (c. 12). |

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- (2) The amount of a partner's trivial lump sum is to be an amount equal to the value of the individual's scheme benefits (as determined by the Fund trustees).
- (3) Such a determination must be—  
(a) certified by the scheme actuary, or  
(b) made in accordance with guidance or tables prepared by the scheme actuary.
- (4) Payment of a partner's trivial lump sum extinguishes all the individual's rights to receive scheme benefits in respect of the deceased.

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