SCHEDULE 1
SCOTTISH PARLIAMENTARY PENSION SCHEME

PART K

LUMP SUM DEATH BENEFITS

Death in service lump sum

65 (1) The Fund trustees may pay a lump sum (a "death in service lump sum") on the death of a participating member—
(a) to the deceased's nominee, or
(b) where there is no such nominee, to the deceased's personal representatives.

But they may do so only if satisfied that, if paid, the death in service lump sum would be a "defined benefits lump sum death benefit" for the purposes of Part 2 of Schedule 29 to the Finance Act 2004 (c. 12).

(2) A death in service lump sum is to be the greater of—
(a) 4 times the participating member's annual salary at the time of death, or
(b) the scheme member contributions, with interest, paid before death.

Nominations for death in service lump sum

66 (1) A participating member may nominate any person as his or her nominee by giving notice to the Fund trustees in such form as they may require. Such a nomination may—
(a) nominate 2 or more persons, and
(b) where it does so, may specify the proportion of any death in service lump sum which is to be paid to each nominee.

(2) A participating member may withdraw a nomination at any time by giving notice to the Fund trustees in such form as they may require.

(3) A nomination in force when the participating member dies is invalid in so far as—
(a) it nominates an individual who was the participating member's partner when the nomination was made but was not his or her partner when he or she died, or
(b) the Fund trustees consider that it would not be reasonably practicable to pay a death in service lump sum to a nominee.

(4) The proportion of any death in service lump sum which would, but for rule 66(3), have been paid to invalidated nominees is to be paid to the deceased's personal representatives.

Deferred pensioner lump sum

67 (1) A lump sum (a "deferred pensioner lump sum") is to be paid to the personal representatives of a deferred pensioner who dies while aged under 75 leaving no—
(a) surviving partner, or
(b) surviving child who, at the time of death, is an eligible child or is unborn.

But such a payment may be made only if the Fund trustees are satisfied that, if paid, the deferred pensioner lump sum would be a "defined benefits lump sum death benefit" for the purposes of Part 2 of Schedule 29 to the Finance Act 2004 (c. 12).

(2) A deferred pensioner lump sum is to be equal to the amount of scheme member contributions, with interest, made by a deferred pensioner.

Changes to legislation:
There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Part K.