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*Status: This is the original version (as it was originally enacted).*

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## 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.

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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.