
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 142

The Police Pension Scheme (Scotland) Regulations 2015

PART 9

Death benefits

CHAPTER 4

Payment of pensions for surviving adults and eligible children

Guaranteed minimum pensions for surviving spouses and civil partners

141.—(1) This regulation applies in relation to a person (P) who is the surviving spouse or civil partner of a deceased active, deferred or pensioner member who has a guaranteed minimum under section 17 of PSA 1993 in relation to the member's benefits under this scheme.

(2) Nothing in these Regulations permits or requires anything that would cause requirements under PSA 1993 that relate to such a person or that relate to the rights of such a person not to be met in relation to P.

(3) Nothing in these Regulations prevents anything from being done which is necessary or expedient for the purpose of meeting such requirements in relation to P.

(4) The following paragraphs are without prejudice to the generality of paragraphs (2) and (3).

(5) If apart from this regulation a pension would not be payable to P under this Part—

- (a) a pension the weekly rate of which is equal to the guaranteed minimum is payable to P for life; or
- (b) pensions the aggregate weekly rate of which is equal to the guaranteed minimum are so payable.

(6) If apart from this regulation the weekly rate of a pension payable to P under this Part would be less than the guaranteed minimum, the pensions payable are increased to the amount specified in paragraph (5).

(7) Paragraphs (5) and (6) do not apply to a pension that is—

- (a) forfeited as a result of a conviction for treason; or
- (b) forfeited under regulation 201 (forfeiture: offences committed by members) where the relevant offence within the meaning of that regulation is an offence under the Official Secrets Acts 1911 to 1989⁽¹⁾.

⁽¹⁾ 1989 c.6; see section 16(2) for the meaning of "Official Secrets Acts 1911 to 1989".