

*These notes relate to the Scottish Parliamentary Pensions Act 2009 (asp 1) which received Royal Assent on 25 February 2009*

# **SCOTTISH PARLIAMENTARY PENSIONS ACT 2009**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part J Surviving Partners and Children**

##### **Rule 62: Children's pensions**

257. Rule 62(1) determines that a children's pension may be payable in the event of the death of a participating member, scheme pensioner or deferred pensioner.
258. Rule 62(2), (3) and (4) determine that, where a partner's pension is payable, the total children's pension payable will be a quarter of the deceased's scheme pension entitlement (as calculated under rule 56, see paragraphs 235-240) if there is one child and  $\frac{3}{8}$ <sup>ths</sup> if there are two or more children (Amount A). Where no partner's pension is payable the total amount is higher, being  $\frac{5}{16}$ <sup>ths</sup> of the deceased's scheme pension entitlement for one child or  $\frac{5}{8}$ <sup>ths</sup> for two or more children (Amount B).