
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Scottish Parliamentary Pensions Act 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE 1 SCOTTISH PARLIAMENTARY PENSION SCHEME

PART C

PARTICIPATING MEMBERS

Office-holder opt-out

- 24 (1) The holder of a pensionable office may opt out of participating in the scheme as an office-holder member only by giving notice to the Fund trustees.
- (2) Where the holder of a pensionable office opts out within 3 months of being appointed to that office—
- (a) the office-holder is to be treated as having not been an office-holder member since being appointed, and
 - (b) any scheme member contributions made in respect of office-holder's salary since being appointed are to be repaid to the office-holder.
- (3) In any other case, a holder of a pensionable office who opts out stops being an office-holder member on whatever date the Fund trustees decide is the earliest practicable date after they receive the opt-out notice.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(4)-(7) substituted for s. 3(4) by [S.S.I. 2011/196 art. 3](#)
- sch. 1 rule 85A inserted by [S.S.I. 2011/244 Annex para. 4](#)
- sch. 1 rule 13 omitted by [S.S.I. 2011/244 Annex para. 1](#)
- sch. 1 rule 85(2) words substituted by [S.S.I. 2011/244 Annex para. 3](#)
- sch. 1 rule 49 words substituted by [S.S.I. 2011/244 Annex para. 2](#)
- sch. 3 para. 18(2A) inserted by [S.S.I. 2011/244 Annex para. 5\(b\)](#)