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SCOTTISH STATUTORY INSTRUMENTS

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**2000 No. 199**

**The Local Government Pension Scheme  
(Scotland) Amendment Regulations 2000**

**Deduction and recovery of member's contributions**

**38.** In regulation 88—

(a) for paragraph (5) substitute—

“(5) If—

- (a) an employing authority deduct any amount in error from a person's pay or any other sum due to him in respect of contributions, other than contributions due to be repaid to him by virtue of his having left without any rights under the Scheme (which are dealt with under regulation 86); and
- (b) the amount has not been repaid to him before expiry of the period of one month beginning with the date of deduction,

the appropriate body must pay him interest on that amount calculated as provided in regulation 81(2), the due date being the date of deduction.”; and

(b) add as paragraphs (5A) and (6)—

“(5A) Where the employee's contributions have been paid into the appropriate fund, the repayment and interest shall be made out of that fund.

(6) “The appropriate body” for the purpose of paragraph (5) is—

- (a) the appropriate administering authority where the employee's contributions have been paid into the appropriate fund; and
- (b) the person's employing authority where the employee's contributions have not yet been paid into the appropriate fund.”.