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**Changes to legislation:** There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Paragraph 26. (See end of Document for details)

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## SCHEDULE 1 SCOTTISH PARLIAMENTARY PENSION SCHEME

### PART C

#### PARTICIPATING MEMBERS

##### *Office-holder opt-in*

- 26 (1) An individual who has opted out of participating in the scheme (or who has opted out of participating as an office-holder member only) may, if subsequently appointed to hold any pensionable office, opt back into the scheme as an office-holder member with effect from the appointment date by—
- (a) giving notice to the Fund trustees within 3 months of being appointed, and
  - (b) paying to the Fund trustees by the due date the amount which they certify as the amount of scheme member contributions which would have been made from the individual's office-holder salary payments between the appointment date and the next day on which a scheme member contribution is to be made.
- “due date” means the 28th day after the Fund trustees give their certification to the office-holder (or any later day as the Fund trustees may specify).
- (2) An MSP may not opt back into the scheme as an office-holder member unless that individual also opts back in as (or already is) an MSP member.

**Changes to legislation:**

There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Paragraph 26.