

*Changes to legislation: There are currently no known outstanding effects for the Scottish Parliamentary Pensions Act 2009, Paragraph 7. (See end of Document for details)*

### SCHEDULE 3 TRANSITIONAL PROVISIONS AND SAVINGS

#### *Reckonable service as an office-holder*

- 7 (1) This paragraph applies to an individual who—
- (a) was a “participating office holder” under the 1999 scheme rules, but
  - (b) is not, immediately before the new rules day, a “pensioner member” under the 1999 scheme rules.
- (2) After the new rules day—
- (a) the “aggregate period of reckonable service as a participating office holder” which an individual to whom this paragraph applies has obtained under the 1999 scheme rules is to be treated as a period of reckonable service as an office-holder under the new scheme rules, and
  - (b) the individual concerned is, for the purposes of new scheme rule 39, to be treated as having obtained a single office-holder pension entitlement in respect of that “aggregate period of reckonable service as a participating office holder” to be calculated as follows—

aggregateperiodofreckonableserviceasaparticipatingoffice-holder  $\times$   $\frac{\text{highest office-holder salary}}{\text{highest office-holder salary}}$

where “highest office-holder salary” means—

- i the highest office-holder salary paid to the individual during any period of 12 months (whether continuous or not and whether before or spanning the new rules day) for which the individual participates in the scheme (as a “participating office holder” under the 1999 scheme rules or as an “office-holder member” under the new scheme rules) in respect of a pensionable office to which he or she was appointed before the new rules day, or
- ii where the individual so participates for fewer than 12 months, the amount determined by doing the following calculation—

$$A \times \frac{365}{B}$$

where—

“A” is the office-holder salary paid to the individual during the period in which he or she so participates, and

“B” is the number of days for which the individual so participates.

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