
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 393

The Teachers' Superannuation (Scotland) Regulations 2005

PART B

PENSIONABLE EMPLOYMENT

Resumption of pensionable status

B8.—(1) Subject to paragraph (5), a teacher who has made an election under regulation B7, who has since been in excluded employment and who—

- (a) is in excluded employment; or
- (b) is not in, but expects to enter, employment which is excluded employment by virtue of an election previously made under regulation B7,

may, at any time, by giving written notice to the Scottish Ministers, make an election under this regulation.

(2) As from the date on which the election has effect, subject to regulation B7, any excluded employment on or after that date is pensionable employment.

(3) Where paragraph (1)(a) applies, an election under this regulation has effect from the first day of the pay period following that in which the notice was received by the Scottish Ministers.

(4) Where paragraph (1)(b) applies, an election under this regulation has effect—

- (a) if the notice is received by the Scottish Ministers before or during the first pay period after commencing employment, from the date on which the teacher became so employed; and
- (b) in any other case, from the first day of the pay period following that in which the notice was received by the Scottish Ministers.

(5) For the purposes of this regulation the Scottish Ministers may in a particular case refuse to accept an election where the teacher is on sick leave.