
STATUTORY INSTRUMENTS

1977 No. 1922

**The National Health Service (Superannuation)
(War Service, etc.) Regulations 1977**

PART II

WAR SERVICE

Provisions relating to the adjustment of certain benefits

12.—(1) Where an officer has become entitled to a pension under the principal regulations, such pension and the associated retiring allowance shall be adjusted to take account of additional contributing service he is able to reckon—

- (a) in the case of an officer who became entitled to such pension before 17th July 1975, as from 17th July 1975; and
- (b) in the case of an officer who became or becomes entitled to such pension on or after 17th July 1975, as from the date on which he became or becomes so entitled.

(2) Where an officer has become a member of another Superannuation scheme after 16th July 1975 and a transfer payment has become payable to that scheme in respect of him, such transfer payment shall be adjusted to take account of additional contributing service he is able to reckon.

(3) Where a person mentioned in regulation 11 of these regulations has become entitled to a benefit mentioned therein, such benefit shall be adjusted to take account of additional contributing service which the officer mentioned in the said regulation 11 would have been able to reckon had he not died and any death gratuity payable in respect of him shall be adjusted accordingly.

(4) Notwithstanding the foregoing provisions of this regulation, where an application under regulation 3 of these regulations is received more than 12 months after the coming into operation of these regulations, no arrears of pension, widow's pension or child's allowance payable as the result shall be payable in respect of a period earlier than 12 months before the receipt of such application, so, however, that the Secretary of State may waive the operation of this paragraph in any case where he considers this to be appropriate.