
EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the National Health Service Pension Scheme Regulations 1995 (S.I.1995/300) by—

- ensuring that the position as regards a member’s contributions and benefits reflect the situation where that member is subject to an earnings cap following a break in pensionable employment (paragraphs (2) and (4));
- ensuring that lump sums, which would otherwise be payable to persons whose right to the lump sum has been forfeited because they have been convicted of the unlawful killing of the member, shall be payable to the personal representatives of the member, and correcting an error in the lump sum provisions as regards members who may give notice that their widow or widower is not to receive the lump sum payable on death (paragraph (3));
- ensuring that periods of adoption leave and paternity leave count as pensionable service under the Scheme (paragraph (5));
- providing more choice for practitioners with mixed patterns of officer and practitioner service to have their benefits under the Scheme calculated in the way which is most beneficial to them—in particular, for them to be able to have a separate pension in respect of previous periods of officer or practitioner service (paragraph (6)).

The authority for regulation 2 having retrospective effect is contained in section 12(1) of the Superannuation Act 1972 (c. 11).

These Regulations do not impose any costs on business.