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STATUTORY INSTRUMENTS

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**2008 No. 654**

**The National Health Service Pension  
Scheme (Amendment) Regulations 2008**

**Amendment of regulation E2**

- 10.**—(1) Regulation E2 (early retirement pension (ill health)) is amended as follows.
- (2) Before paragraph (1) insert—
- “(A1) This regulation applies to a member who—
- (a) retires from pensionable employment on or after 1st April 2008—
- (i) who submitted Form AW33E (or such other form as the Secretary of State accepted) together with supporting medical evidence if not included in the form, and
- (ii) that form was received by the Secretary of State before 1st April 2008; or
- (b) returns to employment which attracts a pension in accordance with paragraph (11).”.
- (3) In paragraph (1) after “A member”, insert “to whom this regulation applies”.
- (4) In paragraph (10)(b) after “reduction under regulation E6(3)”, insert “and the lump sum in place of part of pension payable under regulation E7”.
- (5) After paragraph (11) insert—
- “(12) For the purposes of calculating the amount of lump sum payable under paragraph (10), the member will be treated as if the member had made an election under regulation E7 to receive the maximum amount of further lump sum payable under that regulation.”.

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**Commencement Information**

- II** Reg. 10 in force at 1.4.2008, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The National Health Service Pension Scheme (Amendment) Regulations 2008, Section 10.