
STATUTORY INSTRUMENTS

2009 No. 2446

The National Health Service Pension Scheme,
Injury Benefits and Additional Voluntary
Contributions (Amendment) Regulations 2009

PART 3

Amendment of the National Health Service Pension Scheme Regulations 2008

Amendment of regulation 2.E.18

43.—(1) Regulation 2.E.18 (amount of lump sum: dual capacity members (disregarding regulation 2.D.5 employments)) shall be amended as follows.

(2) At the end of paragraph (2), insert (as full out words) “This is subject to paragraph (4).”.

(3) After paragraph (3), insert—

“(4) In the case of a 2008 Section Optant—

- (a) the reference to the annual rate of pension in paragraph (2)(b)(i) is to the annual rate of pension after it has been reduced to take account of the lump sum paid to the Optant under regulation 2.K.12, and
- (b) the amount of the Optant’s reckonable pay for the purposes of paragraph (2)(b)(ii) shall be reduced by the aggregate of—
 - (i) the amount of the lump sum paid to the Optant under regulation 2.K.12, and
 - (ii) the lump sum under regulation 2.D.14 referred to in paragraph (2)(b)(ii).”.