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STATUTORY INSTRUMENTS

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**2009 No. 381**

**The National Health Service Pension Scheme and  
Injury Benefits (Amendment) Regulations 2009**

**PART 2**

**Amendment of the National Health Service Pension Scheme Regulations 1995**

**Amendment of regulation T8**

- 11.** In paragraph (4) of regulation T8 (interest on late payment of benefits)—
- (a) in the definition of “due date” after “possession of all information” insert, “(including information which the Secretary of State obtains as result of a determination under regulation E2B(3))”;
  - (b) in the definition of “qualifying payment” for paragraph (b), substitute—
    - “(b) any amount paid that increases the amount of an earlier payment due to—
      - (i) a backdated or later increase in pensionable pay, or
      - (ii) the payment of a tier 2 pension under regulation E2A in place of a tier 1 pension being paid to a member following a determination by the Secretary of State under regulation E2B(3).”