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STATUTORY INSTRUMENTS

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**2013 No. 413**

**The National Health Service Pension Scheme,  
Additional Voluntary Contributions and Injury  
Benefits (Amendment) Regulations 2013**

**PART 3**

**Amendment of the National Health Service Pension Scheme Regulations 2008**

**Amendment of regulation 2.B.4**

**29.**—(1) Regulation 2.B.4 (joining this Section of the Scheme), is amended as follows.

(2) For paragraph (1), substitute—

“(1) Subject to paragraph (3), a person in NHS employment who is eligible to be an active member of this Section of the Scheme, becomes such a member, unless absent from work for any reason, on either—

- (a) the commencement of the person’s employment; or
- (b) where the person has previously opted out of this Section of the Scheme under regulation 2.B.5(1) and is a person to whom section 3 or section 5 of the 2008 Act applies—
  - (i) on that person’s automatic enrolment date, or
  - (ii) on that person’s automatic re-enrolment date, except where the notice referred to in regulation 2.B.5(1) was given within 12 months immediately preceding that date.”.

(3) For paragraph (3), substitute—

“(3) A person who has previously exercised an option to opt out of this Section of the Scheme in accordance with regulation 2.B.5(1) in respect of an employment in which that person was an active member, and who remains eligible to be an active member in respect of that employment, may opt to join or re-join this Section of the Scheme by giving notice in writing to the employing authority in such form as the Secretary of State requires.”.

(4) Omit paragraph (6).