
STATUTORY INSTRUMENTS

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 3.C.5

- 63.**—(1) Regulation 3.C.5 (payment of contributions)(1) is amended as follows.
- (2) In paragraphs (2), (4) to (10) and (16) to (18), omit “Trust or” (twenty three times in total).
- (3) For paragraph (11), substitute—
- “(11) If a locum practitioner is liable to pay contributions under paragraph (10) in respect of pensionable locum work for an employing authority, that employing authority must pay C3 contributions to the host Board.”.
- (4) In paragraph (12), in sub-paragraphs (a) and (b), for “vocational trainee” substitute “foundation trainee”.
- (5) For paragraph (13), substitute—
- “(13) If C3 contributions are payable for a locum practitioner under paragraph (11) in respect of pensionable locum work carried out for an employing authority, those contributions must be paid to—
- (a) the host Board if the employing authority is not that host Board;
- (b) the Secretary of State if the employing authority is the host Board.”.
- (6) For paragraph (19), substitute—
- “(19) Paragraph (19A) applies where, despite the provisions of this regulation—
- (a) a type 1 or type 2 practitioner, or a locum practitioner has failed to pay contributions; or
- (b) an employing authority has failed to deduct such contributions.
- (19A) The Secretary of State may recover the amount of any unpaid contributions referred to in paragraph (19)—
- (a) where an employing authority has ceased to exist and paragraph (a) of that sub-paragraph applies, by adding the amount of those unpaid contributions to the amount of contributions the practitioner in question is due to pay to the host Board: that practitioner is to record the amount of those unpaid contributions in a certificate referred to in regulation 2.J.14; or

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(b) by deduction from any payment of a benefit to, or in respect of, the member entitled to that benefit: such a deduction must be to the member's advantage and is subject to the member's consent.

(19B) Paragraph (19A) is without prejudice to any other method of recovery the Secretary of State may have.”.