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STATUTORY INSTRUMENTS

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**2014 No. 1607**

The National Health Service Pension Scheme  
(Amendment No.2) Regulations 2014

PART 2

Amendment of the National Health Service Pension Scheme Regulations 1995

**Amendment of regulation D3**

**5.—**(1) Regulation D3 (further contributions by employing authorities in respect of excessive pay increases)<sup>(1)</sup>, is amended as follows.

(2) In sub-paragraph (b) of paragraph (3)—

(i) for paragraph (i), substitute—

“(i) the aggregate of 4.5% and the percentage (if any) by which the consumer prices index for the February before the start of Year 1 is higher than it was for the previous February, and”;

(ii) in paragraph (ii), before “Year 1” insert “for”.

(3) In sub-paragraph (b) of paragraph (4)—

(i) for paragraph (i), substitute—

“(i) the aggregate of 4.5% and the percentage (if any) by which the consumer prices index for the February before the start of Year 2 is higher than it was for the previous February, and”;

(ii) in paragraph (ii), before “Year 2” insert “for”.

(4) For sub-paragraph (b) of paragraph (5), substitute—

“(b) the member’s pensionable pay for the year immediately preceding Year 3 increased by the aggregate of 4.5% and the percentage (if any) by which the consumer prices index for the February before the start of Year 3 is higher than it was for the previous February.”.

(5) In Step 6 (a) in paragraph (6), for “Amount C” substitute “Amount D”.

(6) For paragraph (17), substitute—

“(17) For the purposes of this regulation an increase in pensionable pay during Year 3, Year 2 or, as the case may be, Year 1 is to be ignored where the Secretary of State is satisfied it arises as a result of—

- (a) the member taking up a new employment with a new employer: provided the Secretary of State is satisfied that the employer in question is a new employer;
- (b) the ending of a salary sacrifice arrangement made before 1st April 2014: for these purposes a salary sacrifice arrangement is one under which the member gives up the right to receive an amount of pensionable pay in return for the provision of

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(1) Regulation D3 was inserted by regulation 8 of [S.I. 2014/570](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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a benefit in kind including, but not limited to, a benefit consisting of a motor car or other vehicle, meals, care or vouchers.”.