
STATUTORY INSTRUMENTS

2015 No. 94

The National Health Service Pension Scheme Regulations 2015

PART 9

General

Medical practitioner

166.—(1) References to a medical practitioner must be construed in accordance with this regulation.

(2) A medical practitioner is a fully registered person—

- (a) whose name is included in a medical performers list; and
- (b) to whom any of paragraphs (3) to (7) apply.

(3) This paragraph applies to—

- (a) a GMS practice,
- (b) a PMS practice,
- (c) an APMS contractor, or
- (d) an OOH provider.

(4) This paragraph applies to a partner in a partnership that is—

- (a) a GMS practice,
- (b) a PMS practice, or
- (c) an APMS contractor,

[^{F1}(d) a primary care network management company.]

(5) This paragraph applies to a shareholder in a company limited by shares that is—

- (a) a GMS practice,
- (b) a PMS practice, or
- (c) an APMS contractor,

[^{F2}(d) a primary care network management company.]

(6) This paragraph applies to an ophthalmic provider.

(7) This paragraph applies to a person—

- (a) who is employed by a GMS practice, a PMS practice, an APMS contractor, an OOH provider or a Local Health Board [^{F3}or a primary care network management company] wholly or mainly to assist the employer in the discharge of the employer's duties as a GMS practice, a PMS practice, an APMS contractor, an OOH provider or a Local Health Board [^{F3}or as a party to a primary care network standard sub-contract] (as the case may be), or
- (b) who participates in a doctors' retainer scheme,

if the person performs essential services, additional services, enhanced services, dispensing services, collaborative services, commissioned services, OOH services, certification services, Board and advisory work, health-related functions exercised under section 75 of the 2006 Act, NHS 111 services, pharmaceutical services, general ophthalmic services, primary dental services, services under an NHS standard contract^[F4], an NHS standard sub-contract] or a contract entered into by a local authority pursuant to its functions under the 2006 Act relating to the improvement and protection of public health and services, practice based services education or training, or organising the education or training of medical students or practitioners (or a combination of those services) as or on behalf of that practice, contractor or provider.

(8) A person who is a GP registrar is not a medical practitioner.

(9) A reference to a fully registered person must be construed in accordance with section 55 of the Medical Act 1983^{M1}.

(10) An ophthalmic provider is a fully registered person who—

(a) as regards England—

(i) is included in an ophthalmic performers list prepared and published by ^[F5]NHS England] pursuant to regulation 3(1) of the National Health Service (Performers Lists) (England) Regulations 2013^{M2}; and

(ii) holds a GOS contract;

^[F6](b) in Wales, is included in an ophthalmic list (as defined in regulation 10(2) of the National Health Service (Ophthalmic Services) (Wales) Regulations 2023) prepared and published by a Local Health Board in accordance with Chapter 2 of Part 4 of those Regulations.]

Textual Amendments

- F1** Reg. 166(4)(d) inserted (1.4.2023) by [The National Health Service Pension Schemes \(Amendment\) Regulations 2023 \(S.I. 2023/301\)](#), regs. 1(2), **16(2)**
- F2** Reg. 166(5)(d) inserted (1.4.2023) by [The National Health Service Pension Schemes \(Amendment\) Regulations 2023 \(S.I. 2023/301\)](#), regs. 1(2), **16(2)**
- F3** Words in reg. 166(7) inserted (1.4.2023) by [The National Health Service Pension Schemes \(Amendment\) Regulations 2023 \(S.I. 2023/301\)](#), regs. 1(2), **16(3)**
- F4** Words in reg. 166 inserted (1.4.2017) by [The National Health Service Pension Scheme and Additional Voluntary Contributions \(Amendment\) Regulations 2017 \(S.I. 2017/275\)](#), regs. 2(c), **44**
- F5** Words in reg. 166(10)(a)(i) substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\)](#), regs. 1(1), **77(3)**
- F6** Reg. 166(10)(b) substituted (20.10.2023) by [The National Health Service \(Ophthalmic Services\) \(Wales\) Regulations 2023 \(S.I. 2023/1053\)](#), reg. 1(2), **Sch. 6 para. 7(2)**

Marginal Citations

- M1** 1983 c.54. The definition of “fully registered person” has been amended by [S.I. 2000/3041](#), [2006/1914](#), [2007/3101](#) and [2008/1774](#).
- M2** [S.I. 2013/335](#).

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service Pension Scheme Regulations 2015, Section 166.