
STATUTORY INSTRUMENTS

2015 No. 94

The National Health Service Pension Scheme Regulations 2015

PART 4

Contributions

CHAPTER 1

Determination and payment

Contributions by employing authorities

33.—(1) The employing authority of an active member of this scheme must contribute to the scheme in respect of the pensionable earnings of the member at the employing authority's standard rate: [^{F1}23.7%].

(2) Paragraph (3) applies if—

- (a) during the same period a person who belongs to any of groups A to C in the table in regulation 27(1) holds more than one employment (whether under a contract of service or for services) with an employing authority; and
- (b) is an active member of this scheme in respect of each employment.

(3) This regulation and regulations 34 and 35 apply in respect of each employment as if it were the only employment held by the person.

(4) The Secretary of State may direct that for the purposes of this Part, “employing authority” includes one or more of the following—

- (a) the transferee under a transfer of staff order pursuant to—
 - (i) in the case of England, section 28(4)(b) of, or paragraph 29(3) of Schedule 4 to, the 2006 Act ^{M1};
 - (ii) in the case of Wales, section 22(4)(b) of, or paragraph 8 of Schedule 3 to, the 2006 (Wales) Act ^{M2};
- (b) a successor, transmittee or assignee of all or part of an employing authority's business or functions;
- (c) the last employing authority of a person to whom these Regulations apply.

(5) The employing authority's standard rate contribution must be paid to the scheme manager not later than the 19th day of the month following that in which the member is paid the pensionable earnings to which the contribution relates.

(6) A member's employing authority is determined in accordance with the following table where column 1 describes the nature of the member's engagement in the provision of health services and column 2 identifies the employing authority relating to that engagement.

Status: Point in time view as at 01/04/2024.

Changes to legislation: There are currently no known outstanding effects for the The National Health Service Pension Scheme Regulations 2015, Section 33. (See end of Document for details)

Table

<i>Column 1</i> <i>Nature of engagement</i>	<i>Column 2</i> <i>Employing authority</i>
Employment by an NHS organisation	The NHS organisation
Employment by a GMS practice, a PMS practice or an APMS contractor or OOH provider [^{F2} or a primary care network management company]	The GMS practice, PMS practice or APMS contractor or OOH provider [^{F2} or a primary care network management company] in question
Employment by a determination employer	The determination employer
Employment by an independent provider	The independent provider
Medical practitioner employed by a medical contractor or non-GP provider [^{F2} or a primary care network management company]	The host Board
Medical contractor or non-GP provider [^{F2} or a primary care network management company] (including an ophthalmic medical practitioner with a GOS contract)	The host Board
Dental practitioner or foundation trainee providing services to a dental contractor	The host Board
Dental contractor	The host Board

(7) Despite paragraph (1), employing authority contributions for—

- (a) a medical practitioner employed by a medical contractor or non-GP provider must be paid by the medical contractor or non-GP provider (as the case may be);
- (b) a medical contractor (including an ophthalmic medical practitioner with a GOS contract) or a non-GP provider must be paid by the medical contractor or non-GP provider (as the case may be).

(8) Contributions payable by an employing authority under regulation 48(3) or 57 for a medical practitioner employed by a medical contractor or non-GP provider must be paid by the medical contractor or non-GP provider (as the case may be) rather than the host Board.

Textual Amendments

- F1** Word in [reg. 33\(1\)](#) substituted (1.4.2024) by [The National Health Service Pension Schemes \(Amendment\) Regulations 2024 \(S.I. 2024/281\)](#), regs. 1(2), **23**
- F2** Words in [reg. 33\(6\)](#) table inserted (1.4.2023) by [The National Health Service Pension Schemes \(Amendment\) Regulations 2023 \(S.I. 2023/301\)](#), regs. 1(2), **11**

Marginal Citations

- M1** [2006 c.41](#). Paragraph 29(3) of Schedule 4 was amended by section 55(1) of, and paragraphs 22(1) and (9) of Schedule 4 to, the [Health and Social Care Act 2012 \(c.7\)](#).
- M2** [2006 c.42](#). Paragraph 8 of Schedule 3 was amended by section 297 of, and paragraphs 12 and 40(1) and (5) of Schedule 21 to, the [Health and Social Care Act 2012](#).

Status:

Point in time view as at 01/04/2024.

Changes to legislation:

There are currently no known outstanding effects for the The National Health Service Pension Scheme Regulations 2015, Section 33.