

STATUTORY INSTRUMENTS

2015 No. 95

The National Health Service Pension Scheme (Transitional and Consequential Provisions) Regulations 2015

PART 2

Transitional provisions

CHAPTER 2

Notices and elections

Nominations, notices and declarations

5.—(1) Paragraph (2) applies where—

- (a) a nomination, notice or declaration of the type specified in column 1 of the table has been accepted in respect of benefits to be paid on the death of a person who is a member of the 1995 Section or the 2008 Section of the old scheme; and
- (b) on the day that the member becomes an active member of the 2015 Scheme, the member has not revoked that nomination, notice or declaration.

Table

<i>Column 1</i>	<i>Column 2</i>
<i>Nomination, notice or declaration in the 1995 Section or 2008 Section</i>	<i>Corresponding notice or declaration in the 2015 Scheme</i>
A nomination made in accordance with regulation F5 of the 1995 Regulations (payment of lump sum) in favour of one or more persons in respect of any lump sum that becomes payable under regulations F1 to F4 of the 1995 Regulations (which deal with lump sum payments on the death of a 1995 Section member in different circumstances).	A notice given in accordance with paragraph 9 (payment of lump sums on death) of Schedule 14 (lump sum on death) to the 2015 Regulations in favour of one or more persons in respect of any lump sums that become payable under regulation 112 of the 2015 Regulations.
A notice given in accordance with regulation 2.E.21 or 3.E.21 of the 2008 Regulations (payment of lump sums or pensions on death) in favour of one or more persons in respect of any lump sums or pensions that become payable under regulation 2.E.16 or 3.E.16 of the 2008 Regulations (which deal with lump sum or pension payments on the	

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<i>Column 1</i>	<i>Column 2</i>
<i>Nomination, notice or declaration in the 1995 Section or 2008 Section</i>	<i>Corresponding notice or declaration in the 2015 Scheme</i>
death of a 2008 Section member in different circumstances).	
A notice given for the purpose of paragraph (3) (a) of regulation F5 of the 1995 Regulations that the member’s surviving partner (within the meaning of that regulation) is not to receive payment of any lump sum that becomes payable under regulations F1 to F4 of the 1995 Regulations.	A notice given in accordance with paragraph 9 (payment of lump sums on death) of Schedule 14 (lump sum on death) to the 2015 Regulations specifying that the member’s personal representatives are to receive any lump sum on the death of the member payable under regulation 112 of the 2015 Regulations.
A notice given for the purposes of regulation G14 of the 1995 Regulations (surviving nominated partner’s pension) nominating a partner to receive a nominated partner pension).	A declaration made for the purpose of regulation 114 of the 2015 Regulations (surviving nominated partner) for the purposes of entitlement to a surviving nominated partner’s pension.
A declaration made for the purpose of regulation 2.E.2 or 3.E.2 of the 2008 Regulations (meaning of “surviving nominated partner”) for the purposes of entitlement to a surviving nominated partner’s pension.	

(2) Where this paragraph applies, for the purposes of the 2015 Scheme, the nomination, notice or declaration mentioned is to be treated as if it had been accepted by the scheme manager as the corresponding notice or declaration in column 2 of the table in paragraph (1).

(3) The revocation of—

- (a) a nomination, notice or declaration of the type specified in column 1 of the table in paragraph (1) will also revoke the corresponding notice or declaration in column 2 of that table without more;
- (b) a notice or declaration of the type specified in column 2 of the table in paragraph (1) will also revoke the corresponding nomination, notice or declaration in column 1 of that table without more.

(4) The—

- (a) making of a new nomination or declaration, or giving of a new notice, of the type specified in column 1 of the table in paragraph (1) is also to be treated by the scheme manager as the giving of the corresponding notice or making of the corresponding declaration in column 2 of that table without more;
- (b) giving of a new a notice or making of a new declaration of the type specified in column 2 of the table in paragraph (1) is also to be treated by the Secretary of State as the making of the corresponding nomination or declaration, or giving of the corresponding notice, of the type specified in column 1 of that table without more.