
STATUTORY INSTRUMENTS

2016 No. 245

**The National Health Service Pension Scheme,
Injury Benefits and Additional Voluntary
Contributions (Amendment) Regulations 2016**

Part 3

Amendment of the National Health Service Pension Scheme Regulations 2008

Amendment of regulation 2.A.1

21. In regulation 2.A.1 (interpretation: general)—

(a) for the definition of “buy-out policy”, substitute—

““buy-out policy” means a policy of insurance or annuity contract that is appropriate for the purposes of section 19 of the 1993 Act⁽¹⁾ and satisfies any requirement of Her Majesty’s Revenue and Customs: and “buy-out” shall be construed accordingly;”;

(b) for the definition of “cash equivalent”, substitute—

““cash equivalent” is to be construed in accordance with Chapter 1 of Part 4ZA of the 1993 Act;”;

(c) for the definition of “practice staff”, substitute—

““practice staff” means a person who is not a registered medical practitioner, a GP registrar or a non-GP provider and who is employed by a GMS practice, a PMS practice, an APMS contractor or an OOH Provider to assist in the provision of any of the following—

- (a) OOH services or services that practice or provider provides pursuant to a GMS contract, PMS agreement or an APMS contract;
- (b) services pursuant to an NHS standard contract;
- (c) services pursuant to an NHS standard sub-contract;
- (d) clinical health care services for the NHS commissioned by an employing authority that is not a GMS practice, a PMS practice, an APMS contractor, an OOH provider or an Independent Provider;”;

(d) omit the definitions of “safeguarded percentage” and “safeguarded rights”;

(e) at the appropriate place in the alphabetical order, insert—

⁽¹⁾ Section 19 is concerned with the discharge of liability where a guaranteed minimum pension is secured by insurance policies or annuity contract. Subsection (4) of section 19 specifies when a policy of insurance or an annuity contract is appropriate for the purposes of that section.

Status: This is the original version (as it was originally made).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

““NHS standard sub-contract” means a sub-contract that complies with the Department of Health guidance “NHS Standard Sub-Contract for the Provision of Clinical Services 2015/16”(2);

“shared parental leave” has the meaning given in regulation 3(1) of the Shared Parental Leave Regulations 2014(3);”.

(2) Electronic copies of the guidance can be obtained from www.gov.uk/dh. Hard copies may be obtained from Department of Health, Quarry House, Quarry Hill, Leeds LS2 7UE.

(3) [S.I. 2014/3050](#).