
STATUTORY INSTRUMENTS

2021 No. 631

**The National Health Service Pension Schemes and
Injury Benefits (Amendment) Regulations 2021**

PART 4

Amendments to the National Health Service Pension Scheme Regulations 2015

General

24. The National Health Service Pension Scheme Regulations 2015⁽¹⁾ are amended in accordance with this Part.

Amendment of regulation 135

25. In regulation 135 (application for statement of entitlement), for paragraph (3)(d) substitute—
“(d) is within the period of 10 days ending with the date on which the member is provided with the statement of entitlement.”.

Amendment of Schedule 3

26. In Schedule 3 (administrative matters), in paragraph 12(5)(a) (forfeiture of rights to benefits),⁽²⁾ for “nominated partner” substitute “surviving scheme partner”.

Amendment of Schedule 5

27. In Schedule 5 (membership gateways), in paragraph 7(a), for “practitioner” substitute “performer”.

Amendment of Schedule 10

28.—(1) Schedule 10 (practitioner income) is amended as follows.

(2) In paragraph 1 (interpretation), after the definition of “local authority” insert—

““New to Partnership Payment Scheme” means the scheme set out in paragraphs 2.14 to 2.16 of the “Update to the GP contract agreement 2020/21 – 2023/24” dated 6th February 2020.”.

(3) In paragraph 2(2) (medical practitioner)⁽³⁾—

(a) in paragraph (b), omit the word “and”;

(b) at the end of paragraph (c), insert—

(1) *S.I. 2015/94*. Relevant amending instruments are *S.I. 2016/245*, *2017/275* and *2019/418*.
(2) Regulations 91(1) and (2) of *S.I. 2019/418*, which sought to amend Schedule 3 by substituting “scheme partner” for “nominated partner” in paragraph 12(5)(a) of Schedule 3, was quashed by order of the High Court in *R. (on the application of British Medical Association) v Secretary of State for Health and Social Care* [2020] EWHC 64 (Admin).
(3) Paragraph (2) was amended by regulation 47(2) of *S.I. 2017/275*. There are other amendments that are not relevant to this instrument.

“and;

- (d) any payment or allowance made pursuant to the New to Partnership Payment Scheme.”.

Amendment of Schedule 14

29. In Schedule 14 (lump sum on death), in paragraph 8 (death of pension credit member)—

- (a) in sub-paragraph (5)(a), omit “at the date of death”;
- (b) in sub-paragraph (6), omit the definitions of “annual amount of pension” and “the beginning date”.

Amendment of Schedule 15

30.—(1) Schedule 15 (definitions) is amended as follows.

(2) After the expression “dental contractor” in Column 1 insert a new expression “dental performer” and for the corresponding entry in Column 2 insert—

“a person—

- (a) whose name is included in a dental performers list or who is a foundation trainee in the first two months of foundation training; and
- (b) who performs primary dental services under—
 - (i) a GDS contract;
 - (ii) a PDS agreement to which a PDS contractor is a party; or
 - (iii) a contract for services with a Local Health Board which relates to arrangements under which it provides primary dental services under section 56(2) of the 2006 (Wales) Act (primary dental services) or a PDS agreement to which a PDS contractor is not a party”.

(3) For the entry in Column 2 corresponding to the expression “NHS standard sub-contract”⁽⁴⁾, substitute “a sub-contract that complies with the National Health Service Commissioning Board’s guidance “NHS Template Sub-Contract for the Provision of Clinical Services for use with the NHS Standard Contract 2021/22 (Full Length and Shorter Form versions) Guidance””.

⁽⁴⁾ This definition was substituted by regulation 94(b) of [SI 2019/418](#).