
STATUTORY INSTRUMENTS

2021 No. 631

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

PART 5

Amendments to the National Health Service (Injury Benefits) Regulations 1995

General

31. The National Health Service (Injury Benefits) Regulations 1995⁽¹⁾ are amended in accordance with this Part.

Amendment of regulation 4

32. In regulation 4 (scale of benefits), in paragraph (6)(b)(vi)⁽²⁾, for “of the Welfare and Reform Act 2007” substitute “and section 1B of the Welfare Reform Act 2007⁽³⁾”.

Amendment of regulation 7

33.—(1) Regulation 7 (surviving partner allowances) is amended as follows.

(2) In paragraph (3)⁽⁴⁾—

(a) in sub-paragraph (a)(ii), omit the word “or”;

(b) after sub-paragraph (b) insert—

“(ba) if at the date of the deceased’s death such surviving partner is not married or in a civil partnership but is living with another person as if married or in a civil partnership; or

(bb) in respect of any period after such surviving partner—

(i) remarries or forms a civil partnership; or

(ii) during which she or he lives together with another person as if married to or in a civil partnership with that other person,

but where such relationship has terminated, the Secretary of State may restore an allowance to a surviving partner if the Secretary of State is satisfied that such surviving partner is suffering hardship.”.

(3) In paragraph (3A)(b)⁽⁵⁾, after “civil partnership” insert “with a person of the same sex”.

(1) [S.I. 1995/866](#). Relevant amending instruments are [S.I. 2005/3074](#), [2008/655](#), [2009/381](#), [2015/96](#), [2016/245](#) and [2019/418](#).
(2) Regulation 4(6)(b)(vi) was inserted by regulation 87 of [S.I.2009/381](#) and amended by regulation 97 and regulation 99 of [S.I. 2016/245](#).
(3) [2007 c.5](#). Section 1(2)(a) was amended by Part 1, Schedule 14 to the Welfare Reform Act 2012 ([c.5](#)) Section 1B was amended by paragraph 26(b) of Schedule 3 and Part 1 of Schedule 14 to the Welfare Reform Act 2012.
(4) Regulation 7(3) was amended by regulation 3(1) and (2)(c) of [S.I. 2005/3074](#) and regulations 99 and 102 of [S.I. 2019/418](#).
(5) Regulation 7(3A) was inserted by regulation 3(1) and (2)(c) of [S.I. 2005/3074](#).

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