
STATUTORY INSTRUMENTS

2023 No. 301

**The National Health Service Pension
Schemes (Amendment) Regulations 2023**

PART 3

Amendment of the National Health Service Pension Scheme Regulations 2015

General

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

Amendment of regulation 19

8. In regulation 19 (restrictions on membership)⁽²⁾, in sub-paragraph (1)(g), insert “(iv) a primary care network management company” and after “APMS contract” insert “or primary care network standard sub-contract”.

Amendment of regulation 30

9.—(1) Regulation 30 (members’ contributions: employees)⁽³⁾ is amended as follows.

(2) In paragraph (3), for “2022/23”, in both places it occurs, substitute “2023/24”.

(3) In paragraph (3A), for “2022/23”, in both places it occurs, substitute “2023/24”.

Amendment of regulation 31

10.—(1) Regulation 31 (members’ contributions: practitioners and non-GP providers)⁽⁴⁾ is amended as follows.

(2) In paragraph (9)—

(a) in sub-paragraph (a), for “each scheme year from 2015/16 to 2021/22, Table 1” substitute “the scheme year 2022/23, Table 1A and Table 1B as applicable”;

(b) in sub-paragraph (b), for “2022/23” substitute “2023/24”;

(c) for the heading “Table 1 Scheme Years from 2015/16 to 2021/22” substitute “Table 1A Scheme Year 2022/23 from 1st April 2022 to 30th September 2022”;

(d) after new Table 1A, insert—

(1) [S.I. 2015/94](#).

(2) Regulation 19 was amended by [S.I. 2022/327](#).

(3) Regulation 30 was amended by [S.I. 2022/273](#), which was amended by [S.I. 2022/991](#).

(4) Regulation 31 was amended by [S.I. 2022/273](#), which was amended by [S.I. 2022/991](#).

“Table 1B Scheme Year 2022/23 from 1st October 2022 to 31st March 2023

<i>Column 1</i>	<i>Column 2</i>
<i>Pensionable earnings band</i>	<i>Contribution percentage rate</i>
Up to £13,246	5.1%
£13,247 to £16,831	5.7%
£16,832 to £22,878	6.1%
£22,879 to £23,948	6.8%
£23,949 to £28,223	7.7%
£28,224 to £29,179	8.8%
£29,180 to £43,805	9.8%
£43,806 to £49,245	10.0%
£49,246 to £56,163	11.6%
£56,164 to £72,030	12.5%
£72,031 and above	13.5%”;

(e) in the heading for Table 2, for “2022/23” substitute “2023/24”.

Amendment of regulation 33

11. In regulation 33 (contributions by employing authorities), in the table following paragraph (6), after both occurrences of “OOH provider”, and after “non-GP provider”, insert “or a primary care network management company”.

Amendment of regulation 38

12. In regulation 38 (members’ contributions: supplementary: medical practitioners and non-GP providers)(5), in paragraph (2)(a), after “in accordance” insert “with”.

Amendment of regulation 86

13. In regulation 86 (terms of employment improve after election), in paragraph (3), after “regulation 85(2)” insert “(a) and (b)”.

Amendment of regulation 105

14. In regulation 105 (previous earnings: general), in paragraph (7), in the definition of “re-valued pensionable earnings”, after “by order” insert “(in respect of the NHS Pension Scheme 2015)”.

Amendment of regulation 150

15. In regulation 150 (interpretation), in paragraph (3)(6) insert “(e) a primary care network standard sub-contract(7).”.

(5) Regulation 38 was amended by S.I. 2019/418 and 2022/273.

(6) Paragraph (3) was substituted by regulation 42(2) of S.I. 2017/275.

(7) The subcontract for the provision of services related to the Network Contract Directed Enhanced Service 2022/23 published on 31 August 2022 is available at <https://www.england.nhs.uk/publication/subcontract-for-the-provision-of-services-related->

Amendment of regulation 166

16.—(1) Regulation 166 (medical practitioner)(8) is amended as follows.

(2) In paragraphs (4) and (5) insert a new sub-paragraph “(d) a primary care network management company.”.

(3) In paragraph (7), after the first occurrence of “a Local Health Board” insert “or a primary care network management company” and after the second occurrence insert “or as a party to a primary care network standard sub-contract”.

Amendment of Schedule 9

17.—(1) Schedule 9 (pension accounts) is amended as follows.

(2) In paragraph 1 (interpretation)—

(a) for the definition of “index adjustment” substitute—

““index adjustment” means—

(a) in relation to the opening balance of earned pension for a scheme year (other than the opening balance of club transfer earned pension), the percentage increase or decrease in prices specified in an order (in respect of the NHS Pension Scheme 2015) made by the Treasury under section 9(2) of the 2013 Act in relation to the previous scheme year, plus 1.5%; and

(b) in relation to the opening balance of club transfer earned pension for a scheme year, the adjustment that is—

(i) equal to the adjustment that would apply to the opening balance of that amount of earned pension under the sending scheme for the previous scheme year, and

(ii) applied to the opening balance of club transfer earned on the date that the order (in respect of the NHS Pension Scheme 2015) made by the Treasury under section 9(2) of the 2013 Act in relation to the previous scheme year, has effect.”

(b) in the definition of “AP index adjustment”, after “in an order”, insert “(in respect of the NHS Pension Scheme 2015)”.

(3) In paragraph 3 (meaning of “leaver index adjustment”)—

(a) in sub-paragraph (1), in Step 1, after “in an order”, insert “(in respect of the NHS Pension Scheme 2015)”;

(b) for sub-paragraph (2), substitute—

“(2) Subject to sub-paragraph 2A, the leaver index adjustment for an amount of club transfer accrued earned pension is—

(a) equal to the adjustment that would apply under the sending scheme to an amount of accrued earned pension equal to the amount of club transfer accrued earned pension specified in the active member’s account at the end of the relevant last day; and

(b) applied to the amount of club transfer earned pension at the end of the relevant last day on the date that the order (in respect of the NHS Pension Scheme 2015)

[to-the-network-contract-directed-enhanced-service-2022-23/](#) or hard copies are available from the Primary Care Strategy and NHS Contracts team, NHS England, Area 2D, Skipton House, 80 London Road, London, SE1 6LH.

(8) Regulation 166 was amended by [S.I. 1996/705](#), [2000/3041](#), [2002/1883](#), [2006/181](#), [2006/1914](#), [2007/3101](#), [2008/1774](#) and [2017/275](#).

made by the Treasury under section 9(2) of the 2013 Act in relation to the previous scheme year, has effect.”.

(4) In paragraph 4 (meaning of “leaver AP index adjustment”), in sub-paragraph (2)(b), after “in an order”, insert “(in respect of the NHS Pension Scheme 2015)”.

Amendment of Schedule 10

18. In Schedule 10 (practitioner income)(9), in sub-paragraph (2) of paragraph (2) (medical practitioner), under “CASE 1” after “(c) an APMS contract;” insert “(ca) a primary care network standard sub-contract;”.

Amendment of Schedule 15

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

(2) In the appropriate place, insert the following new expressions:

- (a) “primary care network” and for the corresponding entry in Column 2 insert “a network of primary medical services contractors and other providers of services which has been approved by the National Health Service Commissioning Board, serving an identified geographical area(10)”;
- (b) “primary care network management company” and for the corresponding entry in Column 2 insert “a partnership or incorporated legal entity that is a party to a primary care network standard sub-contract and under which provides services to that network that are related to the management of that network”; and
- (c) “primary care network standard sub-contract” and for the corresponding entry in Column 2 insert “a sub-contract that complies with the National Health Service Commissioning Board’s template sub-contract, “Sub-contract for the provision of services related to the Network Contract Directed Enhanced Service 2022/23”(11)”.

(9) Schedule 10 was amended by [S.I. 2016/245](#), [2017/275](#), [2019/418](#), [2021/631](#), and [2022/634](#).

(10) The Network Contract Directed Enhanced Service Contract Specification published on 31 March 2021, covering primary care networks is available at <https://www.england.nhs.uk/publication/network-contract-des-specification-2021-22> or hard copies are available from the Primary Care Strategy and NHS Contracts team, NHS England, Area 2D, Skipton House, 80 London Road, London, SE1 6LH.

(11) The subcontract for the provision of services related to the Network Contract Directed Enhanced Service 2022/23 published on 31 August 2022 is available at <https://www.england.nhs.uk/publication/subcontract-for-the-provision-of-services-related-to-the-network-contract-directed-enhanced-service-2022-23/> or hard copies are available from the Primary Care Strategy and NHS Contracts team, NHS England, Area 2D, Skipton House, 80 London Road, London, SE1 6LH.