

STATUTORY INSTRUMENTS

**2023 No. 301**

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

**PART 4**

**Amendment of the National Health Service Pension Scheme  
(Transitional and Consequential Provisions) Regulations 2015**

**General**

**20.** The National Health Service Pension Scheme (Transitional and Consequential Provisions) Regulations 2015(1) are amended in accordance with this Part.

**Commencement Information**

**I1** Reg. 20 in force at 1.4.2023, see [reg. 1\(2\)](#)

**Amendment of regulation 37**

**21.** In regulation 37(1) (variations to lump sums for 1995 and 2008 pensioners joining new scheme)(2), for “and 7”, in the first place it occurs, substitute “, 7, 9 and 10”.

**Commencement Information**

**I2** Reg. 21 in force at 1.4.2023, see [reg. 1\(2\)](#)

**Amendment of Schedule 1**

**22.** In paragraph 1 of Schedule 1 (eligibility of 1995 Section pensioners to join new scheme)(3), at the end of the table insert—

“9	a 1995 Section pensioner in receipt of a tier 2 pension under regulation E2A of the 1995 Regulations—  (a) who returns to NHS employment and the first anniversary of that return is on or after 1st April 2023; and	eligible to be an active member of the new scheme on the day after the protection period in regulation E2C(6)(b) of the 1995 Regulations ends.
----	--	--

(1) [S.I. 2015/95](#).

(2) Regulation 37 was amended by [S.I. 2022/327](#).

(3) The table in paragraph 1 of Schedule 1 was amended by [S.I. 2022/327](#) and [2022/991](#).

---

**Changes to legislation:** There are currently no known outstanding effects for the The National Health Service Pension Schemes (Amendment) Regulations 2023, PART 4. (See end of Document for details)

---

(b) whose protection period for the purposes of regulation E2C of the 1995 Regulations spans 1st April 2023 or begins on or after 1st April 2023.

---

10	a 1995 Section pensioner, other than a tier 2 ill-health pensioner, who does not fall within one of the Groups above.	eligible to be an active member of the new scheme, or re-join the new scheme, on the first day on or after 1st April 2023 on which the member is in an employment that would, apart from the operation of regulation 19(1)(d) of the 2015 Regulations, otherwise be eligible for membership under those Regulations.”
----	---	---

---

.....  
**Commencement Information**

**I3** Reg. 22 in force at 1.4.2023, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The National Health Service Pension Schemes (Amendment) Regulations 2023, PART 4.