
STATUTORY INSTRUMENTS

2023 No. 952

The National Health Service Pension Schemes (Partial Retirement etc.) (Amendment) Regulations 2023

PART 2

Amendments to the National Health Service Pension Scheme Regulations 1995

Amendment of regulation H5

12. In regulation H5 (member dies with preserved pension), for paragraph (3)(1) substitute—

“(3) Subject to paragraph (3A), if the member dies 12 months or more after leaving pensionable employment, the allowance will be calculated as described in whichever of paragraphs (4) or (5) apply, as a proportion of the amount of the member’s preserved pension if paragraph (11)(c) of regulation E5A applies to the member, otherwise the greater of—

- (a) the member’s preserved pension; and
- (b) the amount that the preserved pension would have been if it had been based on 10 years’ pensionable service.”.