
STATUTORY INSTRUMENTS

1995 No. 300

The National Health Service Pension Scheme Regulations 1995

PART D

Contributions

Contributions by members

D1.—(1) Each member in pensionable employment must contribute to the scheme.

(2) Members whose employment is by way of manual labour must contribute 5 per cent. of their pensionable pay. Other members must contribute 6 per cent of their pensionable pay.

(3) If the member is a special class officer, contributions must be paid until the member reaches age 65, or completes 45 years' pensionable service and reaches age 60.

(4) If the member is not a special class officer, contributions must be paid until the member reaches age 70, or completes 45 years' pensionable service and reaches age 65.

(5) The employing authority shall deduct each member's contributions from the member's earnings and pay them to the Secretary of State not later than the 21st day of the month following the month in which the earnings were paid.

Contributions by employing authorities

D2.—(1) Each employing authority must contribute to the scheme, in respect of each member in pensionable employment with the authority, at such a rate as the Secretary of State specifies from time to time.

(2) The Secretary of State shall take the advice of the Government Actuary and obtain the Treasury's consent before specifying the rate at which employing authorities must contribute to the scheme under paragraph (1).

(3) In addition to the contributions payable under paragraph (1), where, on leaving pensionable employment, a pension becomes payable to a member under regulation E3 (early retirement on grounds of redundancy) or E4 (early retirement pension with employer's consent) the employing authority must, subject to paragraph (8), make additional contributions to the Secretary of State in respect of—

- (a) the cost of providing the pension under regulation E3 for the period between the member's leaving pensionable employment and reaching age 60 or, in the case of a member who is a special class officer, the age of 55;
- (b) the cost of providing the pension under regulation E4 for the period between the member's leaving pensionable employment and reaching age 60;
- (c) the cost of providing, under regulation R6 (members entitled to fees for domiciliary consultations), any benefit that supplements the pension referred to in sub-paragraph (a) or (b) above for the period referred to in those sub-paragraphs;

- (d) the cost of providing compensation under regulations 4(1) (payment of compensation), 6(1) (compensation payable to widow or dependants) or 7 (compensation where death gratuity becomes payable) of the National Health Service (Compensation for Premature Retirement) Regulations 1981(1);
- (e) the cost of providing any increase under Part I of the Pensions (Increase) Act 1971(2) in the rate of the benefits referred to in sub-paragraphs (a) to (d), but in the case of the benefits referred to in sub-paragraphs (a) to (c), only for the periods referred to in those sub-paragraphs; and
- (f) the additional cost attributable to early payment of the lump sum on retirement under regulation E6, such cost being determined by the Secretary of State on the advice of the Government Actuary;

and where, on such a pension becoming payable, a pension also becomes payable to the member in respect of pensionable service with one or more other employing authorities, the employing authority in relation to whom the redundancy arose or by whom the consent to early retirement pension was given shall also be responsible for making additional contributions in accordance with this paragraph in respect of that other pension.

(4) Any contributions that are payable under paragraph (1) shall be paid to the Secretary of State on the same day as the member's contributions under regulation D1(5).

(5) Any additional contributions that are payable to the Secretary of State under paragraph (3) (a), (c), (d), (e) and (f) shall be payable—

- (a) quarterly, before the end of the quarter following that in respect of which the costs in question arose; or
- (b) if the Secretary of State agrees, by—
 - (i) a single payment of an amount determined by the Secretary of State, on the advice of the Government Actuary, made within one month of the date on which the pension under regulation E3 became payable, or
 - (ii) not more than 5 equal annual instalments each of an amount determined by the Secretary of State, on the advice of the Government Actuary, the first of which to be made within one month of the date on which the pension under regulation E3 became payable and the others to be paid by the 31st October in each of the following 4 financial years.

(6) An employing authority making quarterly additional contributions in accordance with paragraph (5)(a) may, if the Secretary of State agrees, discharge its liability under paragraph (3) by making—

- (a) a single payment of an amount determined by the Secretary of State, on the advice of the Government Actuary, made within one month of the date on which notice of the Secretary of State's consent is given to the employing authority, or
- (b) not more than 5 equal annual instalments each of an amount determined by the Secretary of State on the advice of the Government Actuary, the first of which to be made within one month of the date on which notice of the Secretary of State's consent is given to the employing authority and the others to be paid by the 31st October in each of the following 4 financial years.

(1) S.I.1981/1263, as amended by S.I. 1982/288, 1985/39, 1985/1659 and 1991/584.

(2) 1971 c. 56. Part I of the Act has been amended by section 29(1) of, and paragraphs 84 to 86 of Schedule 6 to, the Superannuation Act 1972(c. 11), section 3(2) and (3) of the Pension (Increases) Act 1974 (c. 9), section 65(3) of, and Schedule 5 to, the Social Security Pensions Act 1975 (c. 60) and section 108(1)(b) of, and Part I of Schedule 4 to, the Childrens Act 1975 (c. 72), and Article 3 of S.I. 1972/1299. See also sections 69 and 59A of the Social Security (Pensions) Act 1975 (c. 60) which have effect as if they were contained in Part I of the Act. Section 59A was inserted by the Social Security Act 1979 (c. 18) section 11(4).

(7) Any additional contributions that are due to the Secretary of State under paragraph (3)(b), (c), (e) and (f) shall be payable in whichever of the following ways the employing authority chooses—

- (a) by a single payment of an amount determined by the Secretary of State, on the advice of the Government Actuary, made within one month of the date on which the pension under regulation E4 became payable, or
- (b) by not more than 5 equal annual instalments each of an amount determined by the Secretary of State, on the advice of the Government Actuary, the first of which to be made within one month of the date on which the pension under regulation E4 became payable and the others to be paid by the 31st October in each of the following 4 financial years.

(8) For the purposes of paragraph (3), an employing authority shall not be responsible for meeting any costs in respect of the early payment of benefits to the extent that any such benefits are attributable to a period of additional service purchased by the member.