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STATUTORY INSTRUMENTS

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**1995 No. 300**

The National Health Service Pension Scheme Regulations 1995

PART S

*Members who return to NHS employment after pension becomes payable*

**Benefits in respect of pensionable employment after pension becomes payable**

**S3.**—(1) This regulation applies to a member in respect of whom a pension is payable under regulation E2 (early retirement pension on grounds of ill-health) and who subsequently returns to pensionable employment.

(2) For the purposes of paragraphs (3) and (5), the member's "previous service" means the pensionable service in respect of which the member became entitled to receive a pension under regulation E2 and the member's "later service" means any pensionable service which accrues after becoming so entitled.

(3) Subject to paragraph (5), the member's benefits in respect of later service shall be calculated without regard to the member's previous service.

(4) Where the member becomes entitled, under regulation E2 to a pension in respect of later service, regulation E2(3) shall not apply in the calculation of that pension.

(5) For the purposes of regulation C2 (meaning of "pensionable service") and regulation D1(3) and (4) (contributions by members), the member's previous service and later service shall be aggregated.