
STATUTORY INSTRUMENTS

2009 No. 381

**The National Health Service Pension Scheme and
Injury Benefits (Amendment) Regulations 2009**

PART 3

Amendment of the National Health Service Pension Scheme Regulations 2008

Amendment of regulation 2.E.7

39. In paragraph (3) of regulation 2.E.7 (re-employed pensioners: adult survivor pensions in initial period) for sub-paragraphs (a) and (b), substitute—

- “(a) in the case of —
 - (i) a deceased active member, the rate of the deceased’s pensionable pay at the time of death, or
 - (ii) a deceased non-contributing member, the rate of the deceased’s reckonable pay on the deceased’s last day of pensionable service, and
- (b) the rate of the deceased member’s pension payable at the time of death after taking account of any reduction in the rate of the pension under Chapter 2.H (abatements).”.