

2013 No. 1414

**NATIONAL HEALTH SERVICE, ENGLAND AND
WALES**

**The National Health Service Pension Scheme (Amendment)
Regulations 2013**

<i>Made</i> - - - -	<i>6th June 2013</i>
<i>Laid before Parliament</i>	<i>10th June 2013</i>
<i>Coming into force</i> - -	<i>8th July 2013</i>

The Secretary of State for Health, with the consent of the Treasury, makes the following Regulations in exercise of the powers conferred by sections 10(1) and (2) and 12(1) of, and Schedule 3 to, the Superannuation Act 1972(a).

In accordance with section 10(4) of that Act, the Secretary of State has consulted with representatives of persons likely to be affected by these Regulations, as appeared to the Secretary of State to be appropriate.

Citation, commencement and effect

1.—(1) These Regulations may be cited as the National Health Service Pension Scheme (Amendment) Regulations 2013.

(2) These Regulations shall come into force on 8th July 2013 and shall have effect from 1st April 2013.

PART 1

Amendment of the National Health Service Pension Scheme Regulations 1995

General

2.—(1) The National Health Service Pension Scheme Regulations 1995(b) are amended in accordance with this Part.

(a) 1972 c. 11. Section 10(1) was amended by sections 57 and 58 of, and Schedule 5 to, the National Health Service Reorganisation Act 1973 (c. 32) and section 4(2) of the Pensions (Miscellaneous Provisions) Act 1990 (c. 7) (“the 1990 Act”). Section 12(2) was amended by section 10(1) of the 1990 Act. As to Treasury consent, see section 10(1) of the Superannuation Act 1972 and article 2 of the Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670).

(b) S.I. 1995/300, as amended by S.I. 1997/80 and 1888, 1998/666 and 2216, 2000/605, 2001/1428 and 3649, 2002/561 and 2469, 2003/631 and 2322, 2004/665 and 696, 2005/661 and 3074, 2006/600 and 2919, 2007/2054 and 3280, 2008/654 and 2263, 2009/381, 1298 and 2466, 2010/492 and 1634, 2011/591 and 2586, 2012/610, 2013/413 and as modified by S.I. 1996/971.

Amendment of regulation D1

3. In regulation D1 (contributions by members)—

(a) for paragraph (1A), substitute—

“(1A) Where paragraph (2C) applies, a member’s contribution rate for the scheme year 2013-2014 is the percentage specified in column 2 of the following table in respect of the corresponding pensionable pay band specified in column 1 of that table into which the member’s pensionable pay falls.

Table: Scheme Year 2013-2014

<i>Column 1</i> <i>Pensionable Pay Band</i>	<i>Column 2</i> <i>Contribution Percentage Rate</i>
Up to £15,278	5%
£15,279 to £21,175	5.3%
£21,176 to £26,557	6.8%
£26,558 to £48,982	9%
£48,983 to £69,931	11.3%
£69,932 to £110,273	12.3%
£110,274 to any higher amount	13.3%.

(1B) Where paragraph (2Q), (2R) or (2V) applies, a member’s contribution rate for the scheme year 2013-2014 is the percentage specified in column 2 of the following table in respect of the corresponding pensionable pay band specified in column 1 of that table into which the member’s pensionable pay falls.

Table: Scheme Year 2013-2014

<i>Column 1</i> <i>Pensionable Pay Band</i>	<i>Column 2</i> <i>Contribution Percentage Rate</i>
Up to £15,431	5%
£15,432 to £21,387	5.3%
£21,388 to £26,823	6.8%
£26,824 to £49,472	9%
£49,473 to £70,630	11.3%
£70,631 to £111,376	12.3%
£111,377 to any higher amount	13.3%.’;

(b) in paragraph (2), for “the table in paragraph (1A)” substitute “the tables set out in this regulation”;

(c) in paragraphs (2Q), (2R) and (2V), for “paragraph (1A)” substitute “paragraph (1B)”.

Amendment of Schedule 2

4. In paragraph 10 (contributions to this Section of the scheme) of Schedule 2 (medical and dental practitioners), in sub-paragraph (1A) for Table 2 substitute the following table—

“Table 2: Scheme Year 2013-2014

<i>Column 1</i> <i>Pensionable Earnings Band</i>	<i>Column 2</i> <i>Contribution Percentage Rate</i>
Up to £15,431	5%
£15,432 to £21,387	5.3%
£21,388 to £26,823	6.8%
£26,824 to £49,472	9%
£49,473 to £70,630	11.3%
£70,631 to £111,376	12.3%
£111,377 to any higher amount	13.3%.’.

PART 2

Amendment of the National Health Service Pension Scheme Regulations 2008

General

5. The National Health Service Pension Scheme Regulations 2008(a) are amended in accordance with this Part.

Amendment of regulation 2.C.2

6. In regulation 2.C.2 (contribution rate for members other than non-GP providers)—

(a) for paragraph (2) substitute—

“(2) Where paragraph (2) of regulation 2.C.3 (determination of pensionable pay for the purposes of setting a contribution rate for members other than non-GP providers) applies, a member’s contribution rate for the scheme year 2013-2014 is the percentage specified in column 2 of the following table in respect of the corresponding pensionable pay band specified in column 1 of that table into which the member’s pensionable pay falls.

Table: Scheme Year 2013-2014

<i>Column 1</i> <i>Pensionable Pay Band</i>	<i>Column 2</i> <i>Contribution Percentage Rate</i>
Up to £15,278	5%
£15,279 to £21,175	5.3%
£21,176 to £26,557	6.8%
£26,558 to £48,982	9%
£48,983 to £69,931	11.3%
£69,932 to £110,273	12.3%
£110,274 to any higher amount	13.3%

(2A) Where paragraph (16), (17) or (21) of regulation 2.C.3 applies, a member’s contribution rate for the scheme year 2013-2014 is the percentage specified in column 2 of the following table in respect of the corresponding pensionable pay band specified in column 1 of that table into which the member’s pensionable pay falls.

Table: Scheme Year 2013-2014

<i>Column 1</i> <i>Pensionable Pay Band</i>	<i>Column 2</i> <i>Contribution Percentage Rate</i>
Up to £15,431	5%
£15,432 to £21,387	5.3%
£21,388 to £26,823	6.8%
£26,824 to £49,472	9%
£49,473 to £70,630	11.3%
£70,631 to £111,376	12.3%
£111,377 to any higher amount	13.3%.”;

(b) in paragraph (3), for “the table in paragraph (2)” substitute “the tables set out in this regulation”.

(a) S.I. 2008/653, as amended by S.I. 2008/2263, 2009/381, 1298 and 2466, 2010/492 and 1634, 2011/591 and 2586, 2012/610 and 2013/413.

Amendment to regulation 2.C.3

7. In paragraphs (16), (17) and (21) of regulation 2.C.3 (determination of pensionable pay for the purposes of setting a contribution rate for members other than non-GP providers), for “paragraph (2)” substitute “paragraph (2A)”.

Amendment to regulation 2.C.4

8. In paragraph (15) of regulation 2.C.4 (contribution rate and determination of pensionable earnings for non-GP providers), for Table 2 substitute the following table—

“Table 2

Scheme year 2013-2014

<i>Column 1</i>	<i>Column 2</i>
<i>Pensionable Earnings Band</i>	<i>Contribution Percentage Rate</i>
Up to £15,431	5%
£15,432 to £21,387	5.3%
£21,388 to £26,823	6.8%
£26,824 to £49,472	9%
£49,473 to £70,630	11.3%
£70,631 to £111,376	12.3%
£111,377 to any higher amount	13.3%.”.

Amendment to regulation 3.C.2

9. In paragraph (17) of regulation 3.C.2 (members’ contribution rate), for Table 2 substitute the following table—

“Table 2

Scheme year 2013-2014

<i>Column 1</i>	<i>Column 2</i>
<i>Pensionable Earnings Band</i>	<i>Contribution Percentage Rate</i>
Up to £15,431	5%
£15,432 to £21,387	5.3%
£21,388 to £26,823	6.8%
£26,824 to £49,472	9%
£49,473 to £70,630	11.3%
£70,631 to £111,376	12.3%
£111,377 to any higher amount	13.3%.”.

Signed by authority of the Secretary of State for Health.

3rd June 2013

Daniel Poulter
Parliamentary Under-Secretary of State
Department of Health

We consent

6th June 2013

Desmond Swayne
David Evennett
Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the National Health Service Pension Scheme Regulations 1995 (S.I. 1995/300) (“the 1995 Regulations”) and the National Health Service Pension Scheme Regulations 2008 (S.I. 2008/653) (“the 2008 Regulations”).

Regulation 1 provides for citation, commencement and effect, including that the provisions of this instrument are to take effect from a date before the date of commencement. Section 12(1) of the Superannuation Act 1972 (c.11) provides authority for these regulations to take effect from a date earlier than the making of this instrument.

Regulations 2 to 9 amend various provisions of the 1995 and 2008 Regulations and introduce revised pensionable pay bands or earnings bands for the purpose of assessing tiered contribution rates for members for the 2013 Scheme Year, which is the period of one year beginning on the 1st April 2013 and ending on 31st March 2014.

No impact assessment has been prepared for this instrument as it will not impose or reduce costs on business or the third sector nor will it result in costs to the public sector in excess of £5million.

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STATUTORY INSTRUMENTS

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