
STATUTORY INSTRUMENTS

2016 No. 245

**The National Health Service Pension Scheme,
Injury Benefits and Additional Voluntary
Contributions (Amendment) Regulations 2016**

Part 3

Amendment of the National Health Service Pension Scheme Regulations 2008

Amendment of regulation 2.M.3

37.—(1) For paragraphs (4) to (6) of regulation 2.M.3 (approval applications), substitute—

“(4) An approval application may nominate a date (“the nominated date”) from which approval by the Secretary of State (if granted) is to have effect.

(5) Where paragraph (4) applies and—

- (a) the Secretary of State is satisfied that the Independent Provider will satisfy the conditions in paragraph (3) at the nominated date,
- (b) the Secretary of State accepts the nominated date for approval purposes, and
- (c) the nominated date is later than the date on which the Secretary of State approves the application,

approval takes effect from the nominated date.

(5A) Where paragraph (4) applies and—

- (a) the Secretary of State is satisfied that the Independent Provider did satisfy the conditions in paragraph (3) at the nominated date,
- (b) the Secretary of State accepts the nominated date for approval purposes,
- (c) the nominated date is earlier than the date on which the Secretary of State approves the application, and
- (d) the Secretary of State has received the contributions referred to in paragraphs (iv) and (v) of paragraph (3),

approval takes effect from the nominated date.

(6) Where an approval application—

- (a) does not include a nominated date, or
- (b) does include such a date, but which the Secretary of State does not accept for approval purposes,

approval takes effect from the date that it is granted by the Secretary of State.”.