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STATUTORY INSTRUMENTS

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**2022 No. 1028**

**PUBLIC SERVICE PENSIONS,  
ENGLAND AND WALES  
NATIONAL HEALTH SERVICE,  
ENGLAND AND WALES**

**The National Health Service Pension Schemes (Member Contributions etc.) (Amendment) (No. 3) Regulations 2022**

<i>Made</i>	- - - -	<i>7th October 2022</i>
<i>Laid before Parliament</i>		<i>10th October 2022</i>
<i>Coming into force</i>	- -	<i>31st October 2022</i>

The Secretary of State for Health and Social Care makes the following Regulations in exercise of the powers conferred by section 10(1) and (2) of, and Schedule 3 to, the Superannuation Act 1972<sup>(1)</sup> (“the 1972 Act”) and sections 1(1) and (2)(e), 2(1) and 3(1) to (3) of, and paragraph 5(a) of Schedule 2 and Schedule 3 to, the Public Service Pensions Act 2013<sup>(2)</sup> (“the 2013 Act”).

In accordance with section 10(1) of the 1972 Act<sup>(3)</sup> and section 3(5) of the 2013 Act, these Regulations are made with the consent of the Treasury.

In accordance with section 10(4) of the 1972 Act and section 21(1) of the 2013 Act<sup>(4)</sup>, the Secretary of State has consulted the representatives of such persons as appear to the Secretary of State likely to be affected by these Regulations.

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- (1) 1972 c. 11. Section 10(1) was amended by section 57 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).
- (2) 2013 c. 25. Section 3(1) and (2) were amended by section 94(2) and (3) of the Public Service Pensions and Judicial Offices Act 2022 (c. 7) (“the 2022 Act”).
- (3) The functions of the Minister for the Civil Service under section 10 of the 1972 Act were transferred to the Treasury by article 2 of S.I. 1981/1670.
- (4) Section 21 has been amended by section 94(8) of the 2022 Act. The Secretary of State has published a statement pursuant to section 21(2) of the 2013 Act indicating the persons the Secretary of State would normally expect to consult under section 21(1) of that Act. An up-to-date version of that list may be found at [www.gov.uk/government/publications/nhs-pension-scheme-consultee-list](http://www.gov.uk/government/publications/nhs-pension-scheme-consultee-list) or obtained by writing to the NHS Pensions Policy Team, Department of Health and Social Care, Area 2NE Quarry House, Quarry Hill, Leeds, West Yorkshire, LS2 7UE.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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### **Citation, commencement and extent**

1.—(1) These Regulations may be cited as the National Health Service Pension Schemes (Member Contributions etc.) (Amendment) (No. 3) Regulations 2022.

(2) These Regulations come into force on 31st October 2022.

(3) These Regulations extend to England and Wales.

### **Amendment of the National Health Service Pension Schemes (Member Contributions etc.) (Amendment) Regulations 2022**

2. In the National Health Service Pension Schemes (Member Contributions etc.) (Amendment) Regulations 2022(5), in regulation 9 (expiry of modifications of restrictions on return to work), for “31st October 2022” substitute “31st March 2023, except for the modification in regulation 10(b) which applies until the end of 31st March 2025”.

Signed by authority of the Secretary of State for Health and Social Care

7th October 2022

*Robert Jenrick*  
Minister of State,  
Department of Health and Social Care

We consent

7th October 2022

*James Duddridge*  
*Craig Whittaker*  
Two of the Lords Commissioners of His  
Majesty’s Treasury

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(5) [S.I. 2022/273](#), to which there are amendments not relevant to these Regulations.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the National Health Service Pension Schemes (Member Contributions etc.) (Amendment) Regulations 2022 ([S.I. 2022/273](#)).

Regulation 2 amends those Regulations to extend the expiry date for temporary modifications to the National Health Service Pension Scheme Regulations 1995 ([S.I. 1995/300](#)), the National Health Service Pension Scheme Regulations 2008 ([S.I. 2008/653](#)) and the National Health Service Pension Scheme Regulations 2015 ([S.I. 2015/94](#)) to suspend the operation of various provisions applying to members who partially retire or return to NHS employment after their pension becomes payable.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.