
STATUTORY INSTRUMENTS

2013 No. 413

**The National Health Service Pension Scheme,
Additional Voluntary Contributions and Injury
Benefits (Amendment) Regulations 2013**

PART 2

Amendment of the National Health Service Pension Scheme Regulations 1995

Amendment of regulation E3A

9. For paragraph (2) of regulation E3A (early retirement pension (termination of employment by employing authority)), substitute—

“(2) Those conditions are that—

- (a) the member has 2 years’ qualifying service and has attained normal minimum pension age or, where relevant, protected pension age;
- (b) the member’s employing authority certifies—
 - (i) that the member has at least 2 years’ continuous employment determined in accordance with any terms and conditions applying to that employment, and
 - (ii) if the member’s employment is terminated by reason of redundancy, the member is entitled to claim a pension under this regulation as an alternative to receiving (in whole or in part) the lump sum payment otherwise payable to the member in accordance with those terms and conditions;
- (c) the member’s employing authority does not certify that the member has unreasonably refused to seek suitable alternative employment or accept an offer of such employment;
- (d) the Secretary of State certifies—
 - (i) that the member’s employment is terminated by reason of redundancy, or
 - (ii) with the agreement of the employing authority, that the member’s employment is terminated in the interests of the efficiency of the service in which the member is employed; and
- (e) the member makes a claim for the pension referred to in this regulation.”.