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STATUTORY INSTRUMENTS

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**2014 No. 570**

**The National Health Service Pension  
Scheme (Amendment) Regulations 2014**

**PART 3**

**Amendment of the National Health Service Pension Scheme Regulations 2008**

**Amendment of regulation 3.H.1**

- 46.**—(1) Regulation 3.H.1 (application of Chapter 3.H) is amended as follows.
- (2) At the end of paragraph (5), add (as full out words) “This is subject to paragraph (6).”
- (3) After paragraph (5), add—
- “**(5A)** This Chapter does not apply to a person who is a pensioner member of this Section of the Scheme if—
- (a) that person is employed by an Independent Provider—
- (i) on the day that Provider’s approval as an employing authority takes effect in accordance with Chapter 3.M (“the effective date”); and
- (ii) on the day immediately before the effective date; and
- (b) any of paragraphs (5B), (5B) or (5C) apply to that person.
- (5B)** This paragraph applies to a person who is not eligible to be an active member of this Section of the Scheme on the effective date and remains ineligible to be such a member.
- (5C)** This paragraph applies to a person who exercises an option not to rejoin this Section of the Scheme which takes effect from the effective date and has not been cancelled.
- (5D)** This paragraph applies to a person who—
- (a) is not eligible to rejoin this Section of the Scheme on the effective date,
- (b) becomes eligible to do so on the day immediately after the first anniversary of the member entering NHS employment in accordance with paragraph (5)(b) of regulation 3.G.4 (“the day of eligibility”),
- (c) exercises an option not to rejoin this Section of the Scheme that takes effect from the day of eligibility and which has not been cancelled.”.