

SCHEDULE 10

MODIFIED APPLICATION IN CERTAIN CASES

PART VI

PERSONS FORMERLY MEMBERS OF THE NATIONAL HEALTH SERVICE PENSION SCHEME

38.—(1) Where a transfer value has not been accepted in relation to a person to whom this Part applies, the period during which the person was in pensionable employment within the meaning of the 1995 Regulations is comprised in a qualifying period for the purposes of Regulation E3.

(2) Sub-paragraph (1) above shall not be taken as precluding such a period from falling within paragraph 4 of Schedule 8 in a case where a transfer value has been accepted.