
STATUTORY INSTRUMENTS

2008 No. 653

The National Health Service Pension Scheme Regulations 2008

PART 2

BENEFITS FOR OFFICERS

CHAPTER 2.G

RE-EMPLOYMENT AND REJOINING THE SCHEME

General rule: separate treatment of service etc except where unfavourable to member

2.G.2 General rule: separate treatment of service etc

- (1) The general rule is that, in accordance with regulations 2.D.21 and 2.E.25—
 - (a) the re-employed member's pensionable service in respect of the earlier service and the later service are treated separately, and
 - (b) the re-employed member's reckonable pay in respect of the earlier service and the later service is determined separately.
- (2) This regulation is subject to the provisions mentioned in regulations 2.D.21(4) and 2.E.25(5).

2.G.3 Exception to general rule in 2.G.2

- (1) The general rule in regulation 2.G.2 does not apply if—
 - (a) at the time that the member first becomes entitled to a pension under the Scheme in respect of the earlier service or the later service, or
 - (b) if it is earlier, at the time of the member's death,in the opinion of the Secretary of State the benefits payable to or in respect of the member would be more valuable if that general rule were disregarded.
- (2) Accordingly, in a case within paragraph (1)—
 - (a) the member's pensionable service in respect of the earlier service and the later service are treated as one single continuous period,
 - (b) the member's qualifying service in respect of the earlier service and the later service are each treated as one single continuous period,
 - (c) the member is not treated as a deferred member in respect of the earlier service, and
 - (d) the member's reckonable pay in respect of the later period may be determined by reference to the earlier period as well as the later period (as a result of regulation 2.A.10(8)).
- (3) This regulation is subject to regulation 2.G.6.