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STATUTORY INSTRUMENTS

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**2014 No. 78**

The National Health Service Pension Scheme, Additional Voluntary Contributions, Compensation for Premature Retirement and Injury Benefits (Amendment) Regulations 2014

PART 6

Amendment of the National Health Service (Injury Benefits) Regulations 1995

**Part 6: General**

24. The National Health Service (Injury Benefits) Regulations 1995(1) are amended in accordance with this Part.

**Amendment of regulation 2**

25.—(1) Regulation 2 (interpretation)(2) is amended as follows.

(2) At the appropriate place in the alphabetical order, insert—

““civil partner” and “civil partnership” are to be construed in accordance with regulation 2B;”;

““marriage” and “married” do not include a reference to marriage of a same sex couple unless otherwise provided;”;

““widow” and “widower” do not include a reference to marriage of a same sex couple;”.

**Insertion of regulation 2B**

26. After regulation 2A (meaning of “practitioner”), insert—

**“Civil partnerships and marriage of same sex couples**

2B.—(1) In these Regulations, except as provided in paragraph (5), a reference to—

(a) civil partnership is to be read as including a reference to marriage of a same sex couple and a reference to civil partners and a person who is in a civil partnership is to be construed accordingly;

(b) a person who is living with another person as if they were in a civil partnership is to be read as including a reference to a person who is living with another person of the same sex as if they were married.

(2) Where paragraph (1) requires a reference to be read in a particular way, any related reference (such as a reference to a civil partnership that has ended, a reference to a person

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(1) S.I. 1995/866.

(2) Regulation 2 was amended by S.I. 1997/646, 1998/667 and 2217, 2000/606, 2002/2469, 2003/631, 2004/696, 865 and 1016, 2005/661, 2006/600, 2007/3280, 2008/655 and 2263, 2009/381 and 2446, 2010/492, 2011/2586 and 2013/413.

whose civil partnership has ended, or a reference to persons formerly living together as civil partners) is to be read accordingly.

(3) For the purposes of paragraphs (1) and (2) it does not matter how a reference is expressed.

(4) The application of the Marriage (Same Sex Couples) Act 2013<sup>(3)</sup> in relation to these Regulations is modified so that—

- (a) section 11(1) and (2) has effect subject to paragraphs (1) to (3); and
- (b) Schedule 3 does not apply to the interpretation of these Regulations.

(5) In this regulation, “civil partnership” and “civil partners” have the meanings given by section 1 of the Civil Partnership Act 2004<sup>(4)</sup>.”.

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<sup>(3)</sup> 2013 c.30.  
<sup>(4)</sup> 2004 c.33.