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STATUTORY INSTRUMENTS

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**2021 No. 631**

**The National Health Service Pension Schemes and  
Injury Benefits (Amendment) Regulations 2021**

**PART 6**

Miscellaneous

**Option to persons detrimentally affected by these Regulations**

**34.**—(1) This regulation applies in relation to any benefit which is being paid or may become payable under the regulations amended by these Regulations to or in respect of a person who—

- (a) served in an employment or office which qualified the person to participate in the benefits provided under the regulations amended by these Regulations; and
- (b) ceased to serve in that employment or office before these Regulations came into force.

(2) Where, in a case to which this regulation applies, any provision of Part 2 or Part 3 of these Regulations would operate in relation to any person so as to place that person in a worse position than that person would have been if that provision had not applied, that person may elect that the provision will not apply to them by giving notice in accordance with paragraph (3).

(3) A notice given pursuant to paragraph (2) is to be given in writing and delivered to the Secretary of State within six months of the coming into force of these Regulations or such longer period as the Secretary of State may allow.