STATUTORY INSTRUMENTS

No.

PUBLIC SERVICE PENSIONS, ENGLAND AND WALES

NATIONAL HEALTH SERVICE, ENGLAND AND WALES

The National Health Service Pension Schemes and Injury Benefits (Amendment) Regulations 2027

Made - - - - ***

Laid before Parliament ***

Coming into force in accordance with regulation 1(2) and (3)

The Secretary of State for Health and Social Care makes these Regulations in exercise of the powers conferred by sections 10(1) and (2) and 12(1) and (2) of, and Schedule 3 to, the Superannuation Act 1972(**a**) ("the 1972 Act"), sections 1(1) and (2)(e), 2(1) and 3(1) to (3) of, and paragraph 5(a) of Schedule 2 and Schedule 3 to, the Public Service Pensions Act 2013(**b**) ("the 2013 Act") and sections 6(1), 7(3), 10(1), 11(5), 18(1) to (3) and 22(1), (3) to (6) of the Public Service Pensions and Judicial Offices Act 2022(**c**) ("the 2022 Act").

In accordance with section 10(1) of the 1972 Act(**d**) and section 3(5) of the 2013 Act, these Regulations are made with the consent of the Treasury.

In accordance with section 10(4) of the 1972 Act and section 21(1) of the 2013 Act(**e**), the Secretary of State has consulted such persons or the representatives of such persons as appear to the Secretary of State likely to be affected by these Regulations.

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(**a**) 1972 c. 11. Section 10(1) was amended by sections 57 and 58 of, and Schedule 5 to, the National Health Service Reorganisation Act 1973 (c. 32) and section 4(2) of the Pensions (Miscellaneous Provisions) Act 1990 (c. 7) ("the 1990 Act"). Section 12(2) was amended by section 10(1) of the 1990 Act.

(**b**) 2013 c. 25. Section 3(1) and (2) were amended by section 94(2) and (3) of the Public Service Pensions and Judicial Offices Act 2022 (c. 7).

(**c**) 2022 c. 7.

(**d**) The functions of the Minister for the Civil Service under section 10 of the 1972 Act were transferred to the Treasury by article 2 of S.I. 1981/1670.

(**e**) Section 21 has been amended by section 94(8) of the 2022 Act. The Secretary of State has published a statement pursuant to section 21(2) of the 2013 Act indicating the persons the Secretary of State would normally expect to consult under section 21(1) of that Act. An up-to-date version of that list may be found at www.gov.uk/government/publications/nhs-pension-scheme-consultee-list or obtained by writing to the NHS Pensions Policy Team, Department of Health and Social Care, Area 2NE Quarry House, Quarry Hill, Leeds, West Yorkshire, LS2 7UE.

PART 1

Introductory

Citation, commencement, effect and extent

1.—(1) These Regulations may be cited as the National Health Service Pension Schemes and Injury Benefits (Amendment) Regulations 2027.

(2) These Regulations come into force on 1st April 2027, subject to paragraph (3).

(3) Regulations 2 to 6, 10 to 22, 24, 25 and 27 to 32 come into force on 6th April 2027.

(4) Regulations 24(2)(a) and (b), 25(2)(a) and (b), 27(2)(a) and (b), 29(2)(a) and 30(2)(a) have effect retrospectively from 6th April 2026.

(5) These Regulations extend to England and Wales.

PART 2

Amendments to the National Health Service Pension Scheme Regulations 1995

General

2. The National Health Service Pension Scheme Regulations 1995(**a**) are amended in accordance with this Part.

Amendment of regulation A2

3. In regulation A2 (interpretation), at the appropriate places, insert—

> ""the 1984 Act" means the Inheritance Tax Act 1984(**b**);
>
> "scheme administrator" has the meaning given by section 270 of the 2004 Act(**c**);".

Amendment of regulation F5

4. In regulation F5(1) (payment of lump sum), at the beginning, for "A" substitute "Subject to sections 226A (tax on notional pension property: withholding of benefits) and 226B (tax on notional pension property: direct payment by scheme administrator) of the 1984 Act, a".

Amendment of regulation T2A

5. In regulation T2A (deduction of tax: further provisions), after "these Regulations" insert ", the 1984 Act".

Amendment of regulation T8

6. In regulation T8 (interest on late payment of benefits), at the end of paragraph (2) insert "or in connection with the withholding of benefits under section 226A (tax on notional pension property: withholding of benefits) of the 1984 Act".

(**a**) S.I. 1995/300.
(**b**) 1984 c. 51.
(**c**) 2004 c. 7.

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PART 3

Amendments to the National Health Service (Injury Benefits) Regulations 1995

General

7. The National Health Service (Injury Benefits) Regulations 1995(**a**) are amended in accordance with this Part.

Amendment of regulation 2

8. In regulation 2 (interpretation), after the definition for the "2006 (Wales) Act" insert—

> ""the 2022 Act" means the Public Service Pensions and Judicial Offices Act 2022(**b**);".

Amendment of regulation 13

9.—(1) Regulation 13 (review and adjustment of allowance) is amended as follows.

(2) After paragraph (1A) insert—

> "(1B) Where, on review of the amount of an allowance in the circumstances described in paragraph (1)(c), the pension payable to the person has increased by reason of the application of Part 1 of the 2022 Act—
>
> (a) the allowance payable shall be reduced by an amount equal to the increased pension; and
>
> (b) the Secretary of State may recover an amount from the person equal to the difference between—
>
> (i) the aggregate of the allowance that has been paid; and
>
> (ii) the amount that would have been paid had there been no relevant breach of a non-discrimination rule within the meaning of section 25(8) and (9) of the 2022 Act.".

(3) In paragraph (3), after "pension", in the first place it occurs, insert ", or any increase in a pension by reason of the application of Part 1 of the 2022 Act,".

(4) After paragraph (3) insert—

> "(3A) Where, on review of the amount of an allowance in the circumstances described in paragraph (3), the pension payable to the person entitled to such allowance has increased—
>
> (a) the allowance payable shall be reduced by an amount equal to the increased pension; and
>
> (b) the Secretary of State may recover an amount from the person entitled to such allowance equal to the difference between—
>
> (i) the aggregate of the allowance that has been paid to that person; and
>
> (ii) the amount that would have been paid had there been no relevant breach of a non-discrimination rule within the meaning of section 25(8) and (9) of the 2022 Act.".

(**a**) S.I. 1995/866.
(**b**) 2022 c. 7.

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(5) After paragraph (5) insert—

"(6) Where amounts are owed under paragraph (1B) or (3A), such amounts are to be treated as relevant amounts(**a**) for the purposes of regulation 66 (netting off of liabilities) of the National Health Service Pension Schemes (Remediable Service) Regulations 2023(**b**).".

PART 4

Amendments to the National Health Service Pension Scheme (Additional Voluntary Contributions) Regulations 2000

General

10. The National Health Service Pension Scheme (Additional Voluntary Contributions) Regulations 2000(**c**) are amended in accordance with this Part.

Amendment of regulation 2

11. In regulation 2 (interpretation), at the appropriate places, insert—

""the 1984 Act" means the Inheritance Tax Act 1984(**d**);

"the 2006 Regulations" means the Registered Pension Schemes (Provision of Information) Regulations 2006(**e**);

"scheme administrator" has the meaning given by section 270 of the 2004 Act(**f**);

"withholding notice" has the meaning given by section 226A(3) of the 1984 Act.".

Amendment of regulation 12

12. In regulation 12(1) (lump sums on death), after "Subject to" insert "sections 226A (tax on notional pension property: withholding of benefits) and 226B (tax on notional pension property: direct payment by scheme administrator) of the 1984 Act and".

Amendment of regulation 17

13.—(1) Regulation 17 (payments in respect of deceased persons) is amended as follows.

(2) In paragraph (1), at the beginning, for "This" substitute "Subject to sections 226A (tax on notional pension property: withholding of benefits), and 226B (tax on notional pension property: direct payment by scheme administrator) of the 1984 Act, this".

(3) After paragraph (2) insert—

"(3) Where a withholding notice has effect under section 226A(7) of the 1984 Act, the scheme administrator must notify the authorised provider.

(4) Where reasonably necessary to enable the scheme administrator to comply with section 226A(4) of the 1984 Act, the scheme administrator may notify the authorised provider to withhold up to 50% of the lump sum death benefit.".

(**a**) For the meaning of "relevant amounts", see section 26(3) of the 2022 Act.
(**b**) S.I. 2023/985.
(**c**) S.I. 2000/619.
(**d**) 1984 c. 51.
(**e**) S.I. 2006/567 (as amended by S.I. 2026/818, regulations 3 to 7).
(**f**) 2004 c. 7.

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New regulation 17ZA

14. After regulation 17 (payments in respect of deceased persons) insert—

"Provision of information requirements

(17ZA)—(1) The authorised provider must provide such information, and take such other steps, as are reasonably necessary to enable the scheme administrator to comply with regulations 10C to 10M of the 2006 Regulations.

(2) Information under paragraph (1) must be provided within 7 days of the scheme administrator's request. ".

Amendment of regulation 22

15.—(1) Regulation 22 (tax), is amended as follows.

(2) In paragraph (1), after "under the" insert "1984 and the".

(3) In paragraph (2), after "the purposes of the" insert "1984 Act, 2006 Regulations and the".

PART 5

Amendments to the National Health Service Pension Scheme Regulations 2008

General

16. The National Health Service Pension Scheme Regulations 2008(**a**) are amended in accordance with this Part.

Amendment of regulation 2.A.1

17. In regulation 2.A.1 (Interpretation: general), at the appropriate places, insert—

""the 1984 Act" means the Inheritance Tax Act 1984(**b**);

"scheme administrator" has the meaning given by section 270 of the 2004 Act(**c**);".

Amendment of regulation 2.E.16

18. In regulation 2.E.16(1) (lump sum benefits on death: introduction) at the beginning, for "If" substitute "Subject to section 226A (tax on notional pension property: withholding of benefits) and 226B (tax on notional pension property: direct payment by scheme administrator) of the 1984 Act, if".

Amendment of regulation 2.J.9

19. In regulation 2.J.9 (interest on late payment of benefits and refunds of contributions), after paragraph (3), insert—

"(3A) Interest under paragraph (3) is not payable where benefits have been withheld by the scheme administrator under section 226A (tax on notional pension property: withholding of benefits) of the 1984 Act.".

(**a**) S.I. 2008/653.
(**b**) 1984 c. 51.
(**c**) 2004 c. 7.

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Amendment of regulation 3.A.1

20. In regulation 3.A.1 (Interpretation of part 3: general), at the appropriate places, insert—

""the 1984 Act" means the Inheritance Tax Act 1984(**a**);

"scheme administrator" has the meaning given by section 270 of the 2004 Act(**b**);".

Amendment of regulation 3.E.16

21. In regulation 3.E.16(1) (lump sum benefits on death: introduction) at the beginning, for "If" substitute "Subject to section 226A (tax on notional pension property: withholding of benefits) and 226B (tax on notional pension property: direct payment by scheme administrator) of the 1984 Act, if".

Amendment of regulation 3.J.9

22. In regulation 3.J.9 (interest on late payment of benefits and refunds of contributions), after paragraph (3), insert—

"(3A) Interest under paragraph (3) is not payable where benefits have been withheld as required by section 226A (tax on notional pension property: withholding of benefits) of the 1984 Act.".

PART 6

Amendments to the National Health Service Pension Scheme Regulations 2015

General

23. The National Health Service Pension Scheme Regulations 2015(**c**) are amended in accordance with this Part.

Amendment of regulation 21

24.—(1) Regulation 21 (absence from work)(**d**) is amended as follows.

(2) In paragraph (1)—

(a) in sub-paragraph (f) omit "or";

(b) after sub-paragraph (g) insert—

"(h) bereaved partner's paternity leave; or";

(c) after new sub-paragraph (h) insert—

"(i) bereavement leave.".

Amendment of regulation 28

25.—(1) Regulation 28(**e**) (pensionable earnings: break in service) is amended as follows.

(2) In paragraph (2)—

(**a**) 1984 c. 51.
(**b**) 2004 c. 7.
(**c**) S.I. 2015/94.
(**d**) Regulation 21 was amended by S.I. 2020/354, 2024/281 and 2025/316.
(**e**) Regulation 28 was amended by S.I. 2020/354, 2024/281 and 2025/316.

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(a) in sub-paragraph (f) omit "or";

(b) after sub-paragraph (g) insert—

"(h) bereaved partner's paternity leave; or";

(c) after new sub-paragraph (h) insert—

"(i) bereavement leave.".

(3) In paragraphs (6)(b), (6)(c) and (10)(b) for "(g)" substitute "(i)".

Amendment of regulation 33

26. In Regulation 33(1)(**a**) (contributions by employing authorities) for "23.7%" substitute "15.5%".

Amendment of regulation 68

27.—(1) Regulation 68(**b**) (effect of being absent or leaving and rejoining scheme during contributions payment period) is amended as follows.

(2) In paragraph (1)—

(a) in sub-paragraph (eb) omit "or";

(b) after sub-paragraph (eb) insert—

"(ec) is on bereaved partner's paternity leave;";

(c) after new sub-paragraph (ec) insert—

"(ed) is on bereavement leave; or".

Amendment of Schedule 3

28.—(1) Schedule 3 (administrative matters) is amended as follows.

(2) At the beginning of paragraph 9(2), for "This" substitute "Subject to paragraph (3A), this".

(3) After paragraph 9(3), insert—

"(3A) Interest under paragraph (3) above is not payable where benefits have been withheld under section 226A (tax on notional pension property: withholding of benefits) of the 1984 Act.".

Amendment of Schedule 10

29.—(1) Schedule 10(**c**) (practitioner income) is amended as follows.

(2) In sub-paragraph (2) of paragraph 3(**d**) (dental practitioner)—

(a) after "parental bereavement leave" in both places it occurs insert ", bereaved partner's paternity leave";

(b) after "bereaved partner's paternity leave" in both places it occurs insert ", bereavement leave".

(**a**) Regulation 33(1) was amended by S.I. 2024/281.
(**b**) Regulation 68 was amended by S.I. 2020/354, 2024/281 and 2025/316.
(**c**) Schedule 10 was amended by S.I. 2016/245, 2017/275, 2019/418, 2020/354, 2021/631, 2022/634, 2023/301, 2023/1071, 2024/281 and 2025/316.
(**d**) Paragraph 3(2) was amended by S.I. 2016/245, 2020/345, 2023/1071, 2024/281 and 2025/316.

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Amendment of Schedule 12

30.—(1) Schedule 12(**a**) (practitioner contribution payments) is amended as follows.

(2) In sub-paragraphs (4)(c) and (5)(e) of paragraph 3(**b**) (dental practitioner)—

(a) after "parental bereavement leave payments" insert ", bereaved partner's paternity leave payments";

(b) after "bereaved partner's paternity leave payments" insert ", bereavement leave payments".

Amendment of Schedule 14

31. In Schedule 14 (payment of lump sums on death), at the beginning of paragraph 9(2), for "The" substitute "Subject to sections 226A (tax on notional pension property: withholding of benefits) and 226B (tax on notional pension property: direct payment by scheme administrator) of the 1984 Act, the".

Amendment of Schedule 15

32.—(1) Schedule 15 (definitions) is amended as follows.

(2) At the appropriate places in the table of definitions, insert—

""the 1984 Act" means the Inheritance Tax Act 1984(**c**);

"bereaved partner's paternity leave" means leave under section 80A(6A) or section 80B(6C) of the Employment Rights Act 1996(**d**);

"bereavement leave" means leave under section 80EA of the Employment Rights Act 1996(**e**)

"scheme administrator" has the meaning given by section 270 of the 2004 Act(**f**);".

PART 7

Amendment to the National Health Service Pension Schemes (Remediable Service) Regulations 2023

General

33. The National Health Service Pension Schemes (Remediable Service) Regulations 2023(**g**) are amended in accordance with this Part.

Amendment of regulation 7

34.—(1) Regulation 7 (eligibility to make an election: designated persons) is amended as follows.

(2) In paragraph (2)(b), for ", the personal representatives of the remedy member" substitute—

"—

(i) the personal representatives of the remedy member; or

(**a**) Schedule 12 was amended by S.I. 2016/245, 2019/418, 2020/354, 2022/273, 2024/281 and 2025/316.
(**b**) Paragraph 3 was amended by S.I. 2016/245, 2020/345, 2024/281 and 2025/316.
(**c**) 1984 c. 51.
(**d**) 1996 c. 36 Sections 80A(6A) and 80B(6C) were inserted by the Paternity Leave (Bereavement) Act 2024 (c. 17).
(**e**) Section 80EA was amended by the Employment Rights Act 2025 (c. 36).
(**f**) The Finance Act 2004, c. 7.
(**g**) S.I. 2023/985.

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(ii) where there is no such person who is capable, the scheme manager or a person appointed by the scheme manager".

(3) In paragraph (3)(b), after "(2)(a)(iii)" insert ", (b)(ii)".

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