

2015 No.

NATIONAL HEALTH SERVICE

**The National Health Service Superannuation Scheme
(Miscellaneous Amendments No. 2) (Scotland) Regulations
2015**

<i>Made</i>	- - - -	2015
<i>Laid before the Scottish Parliament</i>		2015
<i>Coming into force</i>	- -	2015

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 10(1) and (2), 12(1), (2) and (4) and 24 of, and Schedule 3 to, the Superannuation Act 1972(a) and all other powers enabling them in that behalf.

In accordance with section 10(4) of that Act, the Scottish Ministers have consulted with such representatives of persons likely to be affected by these Regulations as appear to the Scottish Ministers to be appropriate.

In accordance with section 10(1) of that Act, these Regulations are made with the consent of the Treasury.

PART 1

General

Citation, commencement and effect

1.—(1) These Regulations may be cited as the National Health Service Superannuation Scheme (Miscellaneous Amendments No. 2) (Scotland) Regulations 2015.

(2) These Regulations come into force on [] and, subject to paragraph (3), have effect from 1st April 2015.

(3) Regulation 4 has effect from 1st April 2011 and regulations 5, 9 and 10 have effect from 1st April 2014.

(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. The functions of the Secretary of State, in or as regards Scotland, were transferred to the Scottish Ministers by virtue of S.I. 1999/1750, article 2 and Schedule 1.

PART 2

Amendment of the National Health Service Superannuation Scheme (Scotland) Regulations 2011

General

2. The National Health Service Superannuation Scheme (Scotland) Regulations 2011(a) are amended in accordance with regulations 3 to 5.

3. In regulation D1 (contributions by members)—

(a) in paragraph (2)—

(i) for the words from “contribution rate” to “following table”, substitute—

“contribution rate—

(a) for the scheme year 2015-16 is the percentage specified in column 2 of table 1 in respect of the corresponding pensionable pay band specified in column 1 of that table into which the member’s pensionable pay falls;

(b) for the scheme year 2016-17 is the percentage specified in column 2 of table 2”;

(ii) for “**Scheme Year 2015-2016**”, substitute “**Table 1**”; and

(iii) at the end, insert—

“**Table 2**

<i>Column 1</i>	<i>Column 2</i>
<i>Pensionable pay band</i>	<i>Contribution percentage rate</i>
Up to £16,128	5.2%
£16,129 - £21,817	5.8%
£21,818 - £27,360	7.3%
£27,361 - £50,467	9.5%
£50,468 - £72,050	12.7%
£72,051 - £112,490	13.7%
£112,491 to any higher amount	14.7%”;

(b) in paragraph (2A)—

(i) for “2014-2015”, substitute “2015-16”;

(ii) for “the following table”, substitute “table 2 in paragraph (2)”;

(iii) omit the table;

(c) in each of paragraphs (8) to (19), for “the table” substitute “the applicable table”; and

(d) in each of paragraphs (20), (21)(a) and (25)(b), for “the table in paragraph (2A)” substitute “table 2 in paragraph (2)”.

4. In paragraph (1)(a) of regulation R2 (nurses, physiotherapists, midwives and health visitors)—

(a) for “at the coming into force of these Regulations”, substitute “on 1st April 1995”;

(b) for “is in”, substitute “was in”; and

(c) for “has accrued”, substitute “had accrued”.

(a) S.S.I. 2011/117; relevant amending instruments are S.S.I. 2011/364, S.S.I. 2012/69, S.S.I. 2012/163, S.S.I. 2013/109, S.S.I. 2013/168, S.S.I. 2014/43 and S.S.I. 2015/96.

5. In paragraph 14 (contributions to this Section of the scheme) of Schedule 1 (medical and dental practitioners)—

(a) after sub-paragraph (2)(b), insert—

“;

(c) in respect of the 2016-2017 scheme year, table 3”; and

(b) for the existing tables, substitute—

“Table 1: Scheme Year 2014-15

<i>Column 1</i>	<i>Column 2</i>
<i>Pensionable earnings band</i>	<i>Contribution percentage rate</i>
Up to £15,828	5.2%
£15,829 - £21,601	5.8%
£21,602 - £27,089	7.3%
£27,090 - £49,967	9.5%
£49,968 - £71,337	12.7%
£71,338 - £111,376	13.7%
£111,377 to any higher amount	14.7%

Table 2: Scheme Year 2015-16

<i>Column 1</i>	<i>Column 2</i>
<i>Pensionable earnings band</i>	<i>Contribution percentage rate</i>
Up to £16,128	5.2%
£16,129 - £21,817	5.8%
£21,818 - £27,360	7.3%
£27,361 - £50,467	9.5%
£50,468 - £72,050	12.7%
£72,051 - £112,490	13.7%
£112,491 to any higher amount	14.7%

Table 3: Scheme Year 2016-17

<i>Column 1</i>	<i>Column 2</i>
<i>Pensionable earnings band</i>	<i>Contribution percentage rate</i>
Up to £16,128	5.2%
£16,129 - £21,817	5.8%
£21,818 - £27,360	7.3%
£27,361 - £50,467	9.5%
£50,468 - £72,050	12.7%
£72,051 - £112,490	13.7%
£112,491 to any higher amount	14.7%”.

PART 3

Amendment of the National Health Service Superannuation Scheme (2008 Section) (Scotland) Regulations 2013

General

6. The National Health Service Superannuation Scheme (2008 Section) (Scotland) Regulations 2013(a) are amended in accordance with regulations 7 to 10.

7. In regulation 2.C.2 (contribution rate for members other than non-GP providers)—

(a) in paragraph (2)—

(i) for the words from “contribution rate” to “following table”, substitute—

“contribution rate—

(a) for the scheme year 2015-16 is the percentage specified in column 2 of table 1 in respect of the corresponding pensionable pay band specified in column 1 of that table into which the member’s pensionable pay falls;

(b) for the scheme year 2016-17 is the percentage specified in column 2 of table 2”;

(ii) for “**Scheme Year 2015-16**”, substitute “**Table 1**”; and

(iii) at the end, insert—

“**Table 2**

<i>Column 1</i>	<i>Column 2</i>
<i>Pensionable pay band</i>	<i>Contribution percentage rate</i>
Up to £16,128	5.2%
£16,129 - £21,817	5.8%
£21,818 - £27,360	7.3%
£27,361 - £50,467	9.5%
£50,468 - £72,050	12.7%
£72,051 - £112,490	13.7%
£112,491 to any higher amount	14.7%”;

(b) omit paragraph (5).

8. In regulation 2.C.3 (determination of pensionable pay for setting a contribution rate for members other than non-GP providers)—

(a) in each of paragraphs (4) to (15), for “the table” substitute “the applicable table”;

(b) in each of paragraphs (16), (17)(b) and (21)(b), for “the table” substitute “table 2”; and

(c) in paragraph (21)(a), omit the words from “, in addition” to “providers,”.

9. In paragraph (15) of regulation 2.C.4 (contribution rate and determination of pensionable earnings for non-GP providers)—

(a) for sub-paragraph (b), substitute—

“(b) in respect of the 2015-16 scheme year, table 2;

(c) in respect of the 2016-17 scheme year, table 3.”; and

(b) for the existing tables, substitute—

(a) S.S.I. 2013/174; relevant amending instrument is S.S.I. 2013/174.

“Table 1: Scheme Year 2014-15

<i>Column 1</i> <i>Pensionable earnings band</i>	<i>Column 2</i> <i>Contribution percentage rate</i>
Up to £15,828	5.2%
£15,829 - £21,601	5.8%
£21,602 - £27,089	7.3%
£27,090 - £49,967	9.5%
£49,968 - £71,337	12.7%
£71,338 - £111,376	13.7%
£111,377 to any higher amount	14.7%

Table 2: Scheme Year 2015-16

<i>Column 1</i> <i>Pensionable earnings band</i>	<i>Column 2</i> <i>Contribution percentage rate</i>
Up to £16,128	5.2%
£16,129 - £21,817	5.8%
£21,818 - £27,360	7.3%
£27,361 - £50,467	9.5%
£50,468 - £72,050	12.7%
£72,051 - £112,490	13.7%
£112,491 to any higher amount	14.7%

Table 3: Scheme Year 2016-17

<i>Column 1</i> <i>Pensionable earnings band</i>	<i>Column 2</i> <i>Contribution percentage rate</i>
Up to £16,128	5.2%
£16,129 - £21,817	5.8%
£21,818 - £27,360	7.3%
£27,361 - £50,467	9.5%
£50,468 - £72,050	12.7%
£72,051 - £112,490	13.7%
£112,491 to any higher amount	14.7%”.

10. In paragraph (13) of regulation 3.C.2 (members’ contribution rate)—

(a) for sub-paragraph (b), substitute—

“(b) in respect of the 2015-16 scheme year, table 2;

(c) in respect of the 2016-17 scheme year, table 3.”; and

(b) for the existing tables, substitute—

“Table 1: Scheme Year 2014-15

<i>Column 1</i> <i>Pensionable earnings band</i>	<i>Column 2</i> <i>Contribution percentage rate</i>
Up to £15,828	5.2%
£15,829 - £21,601	5.8%
£21,602 - £27,089	7.3%
£27,090 - £49,967	9.5%

£49,968 - £71,337	12.7%
£71,338 - £111,376	13.7%
£111,377 to any higher amount	14.7%

Table 2: Scheme Year 2015-16

<i>Column 1</i>	<i>Column 2</i>
<i>Pensionable earnings band</i>	<i>Contribution percentage rate</i>
Up to £16,128	5.2%
£16,129 - £21,817	5.8%
£21,818 - £27,360	7.3%
£27,361 - £50,467	9.5%
£50,468 - £72,050	12.7%
£72,051 - £112,490	13.7%
£112,491 to any higher amount	14.7%

Table 3: Scheme Year 2016-17

<i>Column 1</i>	<i>Column 2</i>
<i>Pensionable earnings band</i>	<i>Contribution percentage rate</i>
Up to £16,128	5.2%
£16,129 - £21,817	5.8%
£21,818 - £27,360	7.3%
£27,361 - £50,467	9.5%
£50,468 - £72,050	12.7%
£72,051 - £112,490	13.7%
£112,491 to any higher amount	14.7%".

A member of the Scottish Government

St Andrew's House,
Edinburgh
2015

We consent

2015

Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service Superannuation Scheme (Scotland) Regulations 2011 and the National Health Service Superannuation Scheme (2008 Section) (Scotland) Regulations 2013 so as to provide for changes to pensionable pay bands or earnings bands. The revised bands are to be applied to those officer members who change employments within the scheme year and for practitioners' earnings for the 2015-16 Scheme Year (which is the period from 1st April 2015 to 31st March 2016).