

TABLE 2

PENSIONS

The table below summarises the legislation, policies, practices and supporting documents that apply to you in various different types of transfer situation in relation to your terms and conditions including pay. Please note that this is not an exhaustive list but a guide to the key legislation that applies to your transfer. We recommend that you seek advice from your HR department or trade union representative to understand where and how these apply to you.

KEY	
✓	Does apply
*	This is dependant on whether you are a shareholder or practice staff
X	Does not apply

	Transferring from one NHS organisation to another	Transferring from NHS to a GP practice or other Primary Care Contract holder	Transferring from the NHS to the local council	Transferring from the NHS to a charity, social enterprise or the voluntary sector	Transferring from the NHS to a private sector organisation
Pensions					
RELEVANT LEGISLATION (the following legislation is subject to change – go to www.opsi.gov.uk to view the latest version)					
Pensions Act 2007	✓	✓	✓	✓	✓

	Transferring from one NHS organisation to another	Transferring from NHS to a GP practice or other Primary Care Contract holder	Transferring from the NHS to the local council	Transferring from the NHS to a charity, social enterprise or the voluntary sector	Transferring from the NHS to a private sector organisation
Pensions Increase Act 1971 (as amended)	✓	✓	✓	X	X
<ul style="list-style-type: none"> NHS Pension Scheme Regulations 1995 (as amended) and 2008 (as amended) NHS (Additional Voluntary Contributions) Regulations 2000 (as amended) NHS (Injury Benefits) Regulations 1995 (as amended) NHS(Compensation for Premature Retirement) Regulations 2002 (as amended) 	✓	*	X	X	X
Local Government Pension Scheme Regulations 1997 (as amended) and 2007 (as amended)	X	X	✓	X	X
DH AND OGD POLICIES					
Cabinet Office Statement of Practice on Public Sector Transfers (including Fair Deal for Pensions)	X	✓	✓	✓	✓
Secretary of State's Direction	X	X	X	✓	X
GUIDANCE AND PRACTICE					

	Transferring from one NHS organisation to another	Transferring from NHS to a GP practice or other Primary Care Contract holder	Transferring from the NHS to the local council	Transferring from the NHS to a charity, social enterprise or the voluntary sector	Transferring from the NHS to a private sector organisation
What happens to my pension?	X	✓	✓	✓	✓