

**THE SUPERANNUATION (MISCELLANEOUS PROVISIONS) ACT 1967: SECTION 7(2)
THE MEDICAL SCHOOL EMPLOYMENT (SUPERANNUATION) DIRECTION 1993**

The Secretary of State, in exercise of the powers conferred by section 7(2) and (3) of the Superannuation (Miscellaneous Provisions) Act 1967(a), hereby directs as follows:-

1. This direction may be cited as the Medical School Employment (Superannuation) Direction 1993.

2. -(1) In this direction -

"employee" means a person in respect of whom the conditions set out in paragraph 4 of this direction are fulfilled;

"medical school" means that part of any University, College or other institution at which instruction is given only to medical or dental students with a view to their qualification as fully registered medical practitioners for the purposes of the Medical Act 1983(b) or, as the case may be, registered dentists for the purposes of the Dentists Act 1984(c) and includes any post-graduate institute for medical or dental research;

"the Regulations" means the National Health Service (Superannuation) Regulations 1980 (d) and any regulations amending or re-enacting those Regulations.

(2) Other expressions used in this direction have the same meaning as in the Regulations.

3. The Medical School Employment (Superannuation) Directions 1969, 1972 and 1978 are hereby revoked except in relation to any person to whom they applied immediately before the coming into force of this direction.

4. Subject to paragraphs 5 and 6 below, the Regulations shall apply to any person whose duties are wholly or mainly administrative, professional, technical or clerical who is employed by a medical school and who -

(a) is, in relation to other employment, or was, while in a previous employment, entitled to participate in superannuation benefits provided under the Regulations; and

(b) enters employment with a medical school (other than on a change of employer as part of a reorganisation within the National Health Service) while continuing in such other employment or within 12 months after leaving such a previous employment (any period spent by that person on an approved course of study or training within the meaning of the Regulations being left out of account)

as if, while in that employment, he were, within the meaning of the Regulations, an officer in the employment of an employing authority.

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- (a) as amended by sections 10(5) and 29(1) of, and paragraph 66 of Schedule 6 to, the Superannuation Act 1972.
- (b) 1983 c.54.
- (c) 1984 c.24
- (d) S.I. 1980/362 as amended by S.I. 1981/1205, 1982/288, 1982/I 765, 1985/39, 1987/2218, 1989/804 and 1991/584.

5. -(1) Subject to sub-paragraph (2) below, this direction shall have effect:

(a) in relation to an employee whose employment commenced before the date of this direction, from the date hereof or, if he so chooses, from the date on which he entered employment with a medical school notwithstanding that such date is earlier than the date hereof;

(b) in relation to an employee whose employment commenced on or after the date of this direction, from the date on which he became an employee.

(2) This direction shall not have effect in relation to an employee unless within three months of the date of his entry into employment with a medical school (or within such longer period as the Secretary of State may in any particular case allow) he gives notice in writing to the Secretary of State that he wishes this direction to apply to him.

6. Regulation 7 of the Regulations shall have effect so that where in any case a medical school has not paid a contribution in relation to an employee which would have been payable by the medical school if it were an employing authority in accordance with paragraph (1)(b) of that regulation the employee in question shall pay an amount equivalent to that contribution in addition to the contributions payable by him in accordance with paragraph (1)(a) of that regulation.

7. This direction shall not apply or, as the case may be, shall cease to apply, to any person who on entering the employment of a medical school or at any time thereafter becomes a participant in the superannuation scheme operated under the Federated Superannuation System for Universities or the Universities Superannuation Scheme.

Signed by authority of the Secretary of State for Health



GRADE 7 OFFICER
Department of Health

1 September 1993

**THE SUPERANNUATION (MISCELLANEOUS PROVISIONS) ACT 1967:
SECTION 7(2)
THE MEDICAL SCHOOL EMPLOYMENT (SUPERANNUATION)
DIRECTION 1999.**

The Secretary of State, in exercise of the powers conferred by section 7(2), (3) and (4) of the Superannuation (Miscellaneous Provisions) Act 1967 (a), hereby directs as follows:-

1. This direction may be cited as the Medical School Employment (Superannuation) Direction 1999.

2.-(1) In this direction -

“employee” means a person in respect of whom the conditions set out in paragraph 3 of this direction are fulfilled;

“medical school” means that part of any university at which instruction is given only to medical or dental students with a view to their qualification as fully registered medical practitioners for the purposes of the Medical Act 1983 (b) or, as the case may be, registered dentists for the purposes of the Dentists Act 1984 (c) and includes any post-graduate institute for medical or dental research;

“the Regulations” means the National Health Service Pension Scheme Regulations 1995 (d) and any regulations amending or re-enacting those Regulations;

“the 1951 Direction” means the direction made by the Minister of Health on 14th December 1951 under section 19(2) of the National Health Service (Amendment) Act 1949 with respect to medical school employment.

“university” has the meaning given in section 90(3) of the Further and Higher Education Act 1992 (e)

(2) Other expressions used in this direction have the same meaning as in the Regulations.

(a) 1967 c.28 as amended by section IO(5) and section 29(1) of, and paragraph 66 of Schedule 6 to, the Superannuation Act 1972 (c. 11).

(b) 1983 c.54

(c) 1984 c.24

(d) S.I. 1995/300 as amended by S.I. 1997/80, S.I. 1997/1888, S.I. 1998/666, and S.I. 1998/2216.

(e) 1992 c.13

3. Subject to paragraph 5 below, this direction shall apply in relation to any person whose name appears in the Schedule hereto for the duration of the period specified in the third column of that Schedule where, immediately before the date on which such entry is made, that person was contributing to the National Health Service Pension Scheme under the 1951 Direction, the Medical School Employment (Superannuation) Direction 1969 as amended, or the Medical School Employment (Superannuation) Direction 1993.
4. The Regulations shall apply in respect of any person to whom this direction applies as if he were, within the meaning of the Regulations, an officer in the employment of an employing authority.
5. This direction shall not apply in any case where a medical school has not paid a contribution in relation to an employee which would have been payable by the medical school if it were an employing authority in accordance with paragraph (1) of regulation D2 of the Regulations.
6. For paragraph 7 of the Medical School Employment (Superannuation) Direction 1993 there shall be substituted the following paragraph-
 - “7. This direction shall not apply or, as the case may be, shall cease to apply, to-
 - (a) any person who on entering the employment of a medical school or at any time thereafter becomes a participant in the superannuation scheme operated under the Federated Superannuation System for Universities or the Universities Superannuation Scheme; and
 - (b) any person contributing to the National Health Service Pension Scheme under the Medical School Employment (Superannuation) Direction 1999.”

Signed by authority of the Secretary of State for Health



Ian McHenry
NHS Pensions Policy Manager
Department of Health

Date: 29 October 1999
SD396/353

**SCHEDULE TO THE MEDICAL SCHOOL EMPLOYMENT
(SUPERANNUATION) DIRECTION 1999**

Paragraph 3

This Schedule shall have effect for the purposes of paragraph 3 of this direction.

NAME	SD NUMBER	PERIOD OF COVER (Date of entry in this Schedule to last day of service inclusive)