

SCHEDULE A

Regulation A4(1)

Glossary of Expressions

In these Regulations, unless the context otherwise requires, the following expressions shall be construed as hereinafter provided, that is to say:—

“the Act” means the Police Pensions Act 1976(1); “aggregate pension contributions”, for the purpose of calculating an award, has the meaning assigned to it by Regulation A10;

“approved service” has the same meaning as in the former Acts;

“armed forces” means the naval, military or air forces of the Crown, including any women’s service administered by the Defence Council or formerly administered by the Admiralty, Army Council or Air Council; “auxiliary policeman” means a member of the first class of the police reserve, a member of the Police War Reserve or a member of Class A of the Women’s Auxiliary Police Corps;

“average pensionable pay” has the meaning assigned to it by Regulation G1;

“central police officer” means a member of a home police force engaged on central service who enjoys a right of reversion under section 43(1) of the Police Act 1964(2) or section 38(1) of the Police (Scotland) Act 1967(3) as the case may be;

“central service” means temporary service under the Crown performed on or after 1st August 1964, being such service as is mentioned in section 43(5) of the Police Act 1964 or section 38(5) of the Police (Scotland) Act 1967;

“chief officer of police” in relation to an overseas corps means the senior member of that corps;

“child” means (without regard to age) legitimate or illegitimate child, step-child or adopted child and any other child who is substantially dependent on the member of a police force concerned and either is related to him or is the child of his spouse; and the expressions “father”, “mother” and “parent” shall be construed accordingly;

“contracted-out employment” and “contracted-out scheme” have the meanings assigned to them by Regulation A5(6);

“contributions equivalent premium” has the meaning assigned to it by Regulation A5(6) (subject however, to Regulation A5(7));

“disablement” and cognate expressions have the meanings assigned to them by Regulation A12;

“employed contributor’s employment” has the meaning assigned to it by Regulation A5(1);

“former Acts” means the Police Pensions Acts 1921 and 1926(4), including those Acts as applied and extended by or under any enactment, and any Act repealed by those Acts;

“former force”, in relation to a serviceman, means the police force in which he was serving immediately before undertaking a period of relevant service in the armed forces;

“former Regulations” means the Regulations made under the Act or the Police Pensions Act 1948(5) before the making of these Regulations;

“graduated contribution” and “graduated retirement benefit” have the meanings assigned to them by Regulation A5(1);

“guaranteed minimum” and “guaranteed minimum pension” have the meanings assigned to them by Regulation A5(6) (subject, however, to Regulation A5(8));

(1) 1976 c. 35.
(2) 1964 c. 48.
(3) 1967 c. 77.
(4) 1921 c. 31, 1926 c. 34.
(5) 1948 c. 24.

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“home police force” means any police force within the meaning of the Police Act 1964 or the Police (Scotland) Act 1967;

“injury” includes any injury or disease, whether of body or of mind, “injury received in the execution of duty” has the meaning assigned to it by Regulation A11 and “the result of an injury” shall be construed in accordance with Regulation A13;

“inspector” includes chief inspector;

“medical referee” has the meaning assigned to it by Regulation H2(2);

“member of a police force” includes—

- (a) the commissioner and assistant commissioners of police of the metropolis;
- (b) the commissioner of police for the City of London;
- (c) an overseas policeman;
- (d) an inspector or assistant inspector of constabulary appointed on or after 1st August 1964; and
- (e) a central police officer;

“member of the first class of the police reserve” includes any member of a home police force appointed temporarily;

“non-participating employment” has the meaning assigned to it by Regulation A5(1);

“overseas corps” means any body in which persons such as are mentioned in section 1(1) of the Police (Overseas Service) Act 1945(6) are serving and in relation to which regulations made under section 1(2) of that Act have been made;

“overseas policeman” means—

- (a) a member of an overseas corps, or
- (b) an officer to whom section 10 of the Overseas Development and Co-operation Act 1980(7) or the Overseas Service Act 1958(8) applies or applied and whose service as such an officer is or was for the time being service in respect of which section 11 of the said Act of 1980 or section 5 of the said Act of 1958 has or had effect;

“overseas service” means service as an overseas policeman;

“participating period of relevant employment” has the meaning assigned to it by Regulation A5(3);

“payment in lieu of contributions” has the meaning assigned to it by Regulation A5(1);

“pensionable pay” has the meaning assigned to it by Regulation G1;

“the Pensions (Increase) Acts” means the Pensions (Increase) Act 1971(9) and the Pensions (Increase) Act 1974(10); “police authority” has the same meaning as in the Act, and accordingly in relation to a Scottish police force has the same meaning as in the Police(Scotland) Act 1967; “police force” means a home police force or an overseas corps; “regular policeman” means—

- (a) a member of a home police force who is not an auxiliary policeman;
- (b) an overseas policeman who is a reversionary member of a home police force;
- (c) an inspector or assistant inspector of constabulary appointed on or after 1st August 1964; and

(6) 1945 c. 17 (9 & 10 Geo. 6).

(7) 1980 c. 63.

(8) 1958 c. 14.

(9) 1971 c. 56.

(10) 1974 c. 9.

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(d) a central police officer;

“the Regulations of 1973” means the Police Pensions Regulations 1973⁽¹¹⁾ as from time to time in force;

“relevant service in the armed forces” has the meaning assigned to it by Regulation A14;

“retirement” and cognate expressions shall be construed in accordance with Regulations A17 to A21;

“reversionary member of a home police force” means an overseas policeman who has been a member of a home police force and has not lost his right of reversion under section 2(1) of the Police (Overseas Service) Act 1945, and includes a person who has transferred to an overseas corps from being either a civil servant within the meaning of the Superannuation Act 1887⁽¹²⁾ or a member of the metropolitan civil staffs within the meaning of section 15 of the Superannuation (Miscellaneous Provisions) Act 1967⁽¹³⁾;

“Royal Ulster Constabulary pensions legislation” means the Northern Ireland legislation for the time being in force relating to the superannuation of members of the Royal Ulster Constabulary;

“secured portion” and “unsecured portion”, in relation to a pension, have the meanings assigned to them by Regulation A5(4);

“sergeant” includes station sergeant and first class sergeant (C.I.D.);

“serviceman” means a person who immediately before undertaking a period of relevant service in the armed forces was a regular policeman and includes a serviceman (1939–1945);

“serviceman (1939–1945)” means a person who ceased to serve as a regular policeman in such circumstances that he became a person to whom section 1 of the Police and Firemen (War Service) Act 1939⁽¹⁴⁾ applied;

“state pensionable age” has the meaning assigned to it by Regulation A5(2);

“superintendent” includes chief superintendent;

“tax year” means the 12 months beginning with 6th April in any year;

“tour of central service” means the period of central service for which a central police officer has engaged with the consent of the appropriate authority for the purposes of section 43 of the Police Act 1964 or section 38 of the Police (Scotland) Act 1967, as the case may be, and, if such a period has been varied, means the period as so varied, so however that where the officer engaged for an indefinite period of central service the said expression means his actual period of such service;

“tour of overseas service” means the period of overseas service for which an overseas policeman has engaged with the consent, in the case of a reversionary member of a home police force, of the appropriate authority for the purposes of the Police (Overseas Service) Act 1945 and of the Secretary of State, and, if such a period has been varied under regulations made under section 1 of that Act, means the period as so varied, so however that where the overseas policeman has engaged for an indefinite period of overseas service the said expression means his actual period of such service;

“transfer” shall be construed in accordance with Regulation A16.

⁽¹¹⁾ S.I. 1973/428.

⁽¹²⁾ 1887 c. 67.

⁽¹³⁾ 1967 c. 28.

⁽¹⁴⁾ 1939 c. 103.

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SCHEDULE B

Personal Awards

Regulation B1

Part I

Policeman's Ordinary Pension

1. Subject to paragraph 2 and Parts VII and VIII of this Schedule (*reductions at state pensionable age and related to up-rating of widow's pension*), the pension shall be of an amount equal to 30 sixtieths of the policeman's average pensionable pay with the addition, subject to a maximum of 40 sixtieths, of an amount equal to 2 sixtieths of that pay multiplied by the period in years by which his pensionable service exceeds 25 years.

2. If the amount of the pension calculated in accordance with the preceding paragraph would be less than the amount it would have been had the person in question become entitled to receive an ordinary pension by retiring after due notice from the same police force at an earlier date, then, subject to Parts VII and VIII of this Schedule, the pension shall be of the last-mentioned amount.

Regulation B2

Part II

Policeman's Short Service Pension

Subject to Parts VII and VIII of this Schedule (*reductions at state pensionable age and related to up-rating of widow's pension*), the pension shall be of an amount which is the aggregate of—

- (a) an amount equal to a sixtieth of the policeman's average pensionable pay multiplied by the period in years of his pensionable service up to 20 years, and
- (b) an amount equal to 2 sixtieths of that pay multiplied by the period in years by which his pensionable service exceeds 20 years.

Regulation B3

Part III

Policeman's Ill-Health Pension

1. Subject to Regulation K1(5) (*termination of unsecured portion of ill-health pension*) and to Parts VII and VIII of this Schedule (*reductions at state pensionable age and related to up-rating of widow's pension*), the amount of the pension shall be determined in accordance with paragraph 2, 3 or 4 as the case may require.

2. Where the policeman has less than 5 years' pensionable service, the amount of the pension shall not be less than a sixtieth of his average pensionable pay and, subject as aforesaid, shall be of an amount equal to a sixtieth of that pay multiplied by the period in years of his pensionable service.

3. Where the policeman has 5 or more years', but not more than 10 years' pensionable service, subject to paragraph 5, the pension shall be of an amount equal to 2 sixtieths of his average pensionable pay multiplied by the period in years of his pensionable service.

4. Where the policeman has more than 10 years' pensionable service, the pension shall be not less than 20 sixtieths, nor more than 40 sixtieths, of his average pensionable pay and, subject as aforesaid and to paragraph 5, shall be equal to 7 sixtieths of that pay with the addition—

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- (a) of an amount equal to a sixtieth of that pay multiplied by the period in years of his pensionable service up to 20 years, and
- (b) of an amount equal to 2 sixtieths of that pay multiplied by the period in years by which his pensionable service exceeds 20 years.

5. In the case of a policeman who, had he continued to serve until he could be required to retire on account of age, would have become entitled to an ordinary or short service pension, a pension calculated in accordance with paragraph 3 or 4 shall not exceed the pension to which he would so have become entitled calculated, however, by reference to the average pensionable pay by reference to which the ill-health pension is calculated.

Regulations B2 and B3

Part IV

Policeman's Short Service or Ill-Health Gratuity

1. Where the policeman has not completed a year's pensionable service, the gratuity shall be of an amount equal to the policeman's aggregate pension contributions in respect of the relevant period of service subject, however, to paragraph 3.

2. Where the policeman has completed at least a year's pensionable service, the gratuity shall be of an amount equal to whichever is the greater of the two following amounts—

- (a) a twelfth of the policeman's average pensionable pay multiplied by the period in years of his pensionable service;
- (b) the policeman's aggregate pension contributions in respect of the relevant period of service,

subject, however, to paragraph 3.

3. Where the policeman retired after the beginning of the tax year in which he attains state pensionable age, the gratuity calculated in accordance with the preceding provisions of this Part shall be reduced by an amount equal to the capitalised value, as calculated by the Government Actuary, of the annual rate of any pension paid to him under Regulation J1(2) (*policeman with a guaranteed minimum for the purposes of the Social Security Pensions Act 1975*).

Regulation B4

Part V

Policeman's Injury Award

1. A gratuity under Regulation B4 shall be calculated by reference to the person's degree of disablement and his average pensionable pay and shall be the amount specified as appropriate to his degree of disablement in column (2) of the following Table.

2. An injury pension shall be calculated by reference to the person's degree of disablement, his average pensionable pay and the period in years of his pensionable service, and, subject to the following paragraphs, shall be of the amount of his minimum income guarantee specified as appropriate to his degree of disablement in column (3), (4), (5) or (6) of the following Table, whichever is applicable to his period of pensionable service.

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Table

Degree of disablement	Gratuity expressed as % of average pensionable pay	Minimum income guarantee expressed as % of average pensionable pay			
		Less than 5 years' service	5 or more but less than 15 years' service	15 or more but less than 25 years' service	25 or more years' service
(1)	(2)	(3)	(4)	(5)	(6)
25% or less (slight disablement)	12.5%	15%	30%	45%	60%
More than 25% but not more than 50% (minor disablement)	25%	40%	50%	60%	70%
More than 50% but not more than 75% (major disablement)	37.5%	65%	70%	75%	80%
More than 75% (very severe disablement)	50%	85%	85%	85%	85%

3.—(1) The amount of an injury pension, calculated as aforesaid, shall be reduced, where the person concerned received the relevant injury (within the meaning of Regulation B4) during a period of service as a regular policeman, by three-quarters of any other pension calculated by reference to pensionable service reckonable by reason of that period of service.

(2) For the purposes of sub-paragraph (1), such other pension as is there mentioned which is reduced in accordance with the provisions of Regulation B7 or B9 (*commutation and allocation*) or of Part VIII of this Schedule (*reduction related to up-rating of widow's pension*) shall be deemed not to have been so reduced.

4.—(1) The amount of the injury pension in respect of any week, calculated as aforesaid, shall be reduced on account of any such additional benefit as is mentioned in sub-paragraph (3) to which the person concerned is entitled in respect of the same week and, subject to sub-paragraph (2), the said reduction shall be of an amount equal to that of the additional benefit or, in the case of benefit mentioned in sub-paragraph (3)(a) or (b), of so much thereof as is there mentioned.

(2) Where the provisions governing scales of additional benefits have changed after the person concerned ceased to be a member of a police force, the amount of the reduction in respect of any week on account of a particular benefit shall not exceed the amount which would have been the amount thereof in respect of that week had those provisions not changed, it being assumed, in the case of such benefit as is mentioned in sub-paragraph (3)(a)(ii), that it would have borne the same relationship to the former maximum amount thereof.

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- (3) The following benefits are the additional benefits referred to in this paragraph—
- (a) any disablement pension under section 57 of the Social Security Act 1975(15) in respect of the relevant injury or so much of any such pension as relates to that injury (hereinafter referred to as the relevant part of the pension), together with—
 - (i) any increase in such pension by way of unemployability supplement under section 58 of that Act or so much of any such increase as is proportionate to the relevant part of the said pension so, however, that where the person concerned is entitled to an unemployability supplement which is increased under section 59 of that Act, the unemployability supplement shall be deemed not to have been so increased,
 - (ii) any increase in such pension under section 60 of that Act (*special hardship*) or so much of any such increase as is proportionate to the relevant part of the said pension,
 - (iii) any increase in such pension under section 64 or 66 of that Act (*dependants*) or so much of any such increase as is proportionate to the relevant part of the said pension, and
 - (iv) so long as the person concerned is receiving treatment as an in-patient at a hospital as a result of the relevant injury, any increase in such pension under section 62 of that Act (*hospital treatment*);
 - (b) any reduced earnings allowance under section 59A of the said Act of 1975(16) in respect of the relevant injury or so much of any such allowance as relates to that injury;
 - (c) until the first day after his retirement which is not, or is deemed not to be, a day of incapacity for work within the meaning of section 14 or 15, or, as the case may be, a day on which he is incapable of work within the meaning of section 36, of the said Act of 1975—
 - (i) any sickness benefit under the said section 14, including such benefit to which the person concerned is only entitled by virtue of section 50A(17) of that Act,
 - (ii) any invalidity pension under the said section 15, including any additional component comprised therein in pursuance of section 14 of the Social Security Pensions Act 1975(18), or
 - (iii) any severe disablement allowance under the said section 36,including, in each case, any increase under any provision of Chapter III of the Social Security Act 1975 (*dependants*).

(4) Where a person has become entitled to a disablement gratuity under section 57 of the Social Security Act 1975 in respect of the relevant injury, this paragraph shall have effect as if he were entitled during the relevant period to a disablement pension of such amount as would be produced by converting the gratuity into an annuity for the said period.

In this sub-paragraph the expression “the relevant period” means the period taken into account, in accordance with section 57 of the said Act of 1975, for the purpose of making the assessment by reference to which the gratuity became payable.

5. No payment shall be made in respect of an injury pension for any week in which the aggregate reductions under paragraphs 3 and 4 exceed the amount of the pension calculated in accordance with paragraph 2.

6. This Part has effect subject to paragraphs 6 and 7 of Part I, and paragraph 4 of Part VII, of Schedule J.

(15) 1975 c. 14, amended (as respects the provisions mentioned in this paragraph) by 1975 c. 60, s. 18(1) and Sch. 4.Pt. 1; 1975 c. 61, Schs. 4 and 5; 1977 c. 5, ss. 5 and 22 and Sch. 2; 1979 c. 18, Schs. 1 and 3; 1980 c. 30, Schs. 1 and 5; 1980 c. 39, s. 3; 1982 c. 24, s. 39, Sch. 2, Sch. 4, Pt. 1 and Sch. 5; 1986 c. 50, Sch. 3.

(16) S. 59A inserted by 1986 c. 50, Sch. 3, para. 5.

(17) S. 50A inserted by 1982 c. 24, s. 39.

(18) 1975 c. 60.

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Regulation B5

Part VI

Policeman's Deferred Pension

1. The amount of a policeman's deferred pension shall be calculated by reference to—
 - (a) the pensionable service he is entitled to reckon (here referred to as “actual service”);
 - (b) the pensionable service he would have become entitled to reckon had he continued to serve until he could retire with a maximum ordinary pension (disregarding Regulation B1(2)) or until he could be required to retire on account of age, whichever is the earlier, (here referred to as “hypothetical service”), and
 - (c) his average pensionable pay.

2. Subject to Parts VII and VIII of this Schedule (*reductions at state pensionable age and related to up-rating of widow's pension*), the policeman's pension shall be such that it is the same proportion of the hypothetical pension mentioned in paragraph 3 as his actual service is of his hypothetical service except that it shall not exceed 40 sixtieths of his average pensionable pay.

3. The hypothetical pension referred to in paragraph 2 is a pension of an amount which is the aggregate of—

- (a) an amount equal to a sixtieth of his average pensionable pay multiplied by the period in years of his hypothetical service up to 20 years, and
- (b) an amount equal to 2 sixtieths of that pay multiplied by the period in years by which his hypothetical service exceeds 20 years.

Regulations B1, B2, B3 and B5

Part VII

Reduction of Pension at State Pensionable Age

Pension modifications connected with state flat-rate retirement benefit

1.—(1) Where, in respect of service as a regular policeman or as a member of the Royal Ulster Constabulary before 1st April 1980, a person has paid pension contributions at a rate of 6p a week (or 1s. 2d. a week) less than the appropriate percentage of his pensionable pay then, in respect of any period beyond state pensionable age, the unsecured portion of any ordinary, short service, ill-health or deferred pension payable to him shall be reduced in accordance with sub-paragraph (2) or, as the case may be, sub-paragraph (3).

- (2) In the case of a person who paid contributions as aforesaid by reason of the giving of a notice—
 - (a) under Regulation 41(3) of the Police Pensions Regulations 1948(19);
 - (b) under Regulation 43(3) of the Police Pensions (Scotland) Regulations 1948(20), or
 - (c) without prejudice to the generality of Regulation J2(2), under any corresponding provision of the Royal Ulster Constabulary pensions legislation,

the reduction under sub-paragraph (1) shall be calculated at an annual rate obtained by multiplying the sum in the second column of the following Table set opposite to the age in the first column of

(19) S.I. 1948/1531.

(20) S.I. 1948/1530.

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the said Table which he had attained at the appropriate date by the number of years specified in sub-paragraph (4):—

Table

Age in years at appropriate date	Sums to be multiplied £
Under 23	1.70
23	1.65
24	1.60
25	1.55
26	1.525
27	1.50
28	1.475
29	1.45
30	1.425
31	1.40
32	1.375
33	1.35
34	1.325
35	1.30
36	1.30
37	1.275
38	1.25
39	1.25
40	1.225
41	1.225
42	1.20
43	1.20
44 or over	1.175

In this sub-paragraph the expression “appropriate date” means, subject to sub-paragraph (5), 5th July 1948, or, in the case of a person who was then an auxiliary policeman, the date on which he first thereafter became a regular policeman.

(3) In the case of a person who paid contributions as aforesaid, otherwise than as mentioned in sub-paragraph (2), the reduction under sub-paragraph (1) shall be calculated at an annual rate obtained by multiplying £1.70 by the number of years specified in sub-paragraph (4).

(4) The number of years referred to in sub-paragraph (2) or (3) is, subject to the following sub-paragraphs, the period in years of service before 1st April 1980 either as a regular policeman or as

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a member of the Royal Ulster Constabulary in respect of which the person concerned paid pension contributions at such a rate as is mentioned in sub-paragraph (1):

Provided that there shall be excluded from the said period any period or periods—

- (a) by reason of which the person concerned is not entitled to reckon pensionable service for the purposes of the pension in question, or
- (b) which fell after the date on which the person concerned would have been entitled, if he had retired, to a pension equal to two thirds of his average pensionable pay.

(5) In the case of a person who—

- (a) first became a regular policeman on or after 1st January 1963;
- (b) before 1st April 1980 became entitled to reckon pensionable service by reason of service or employment (otherwise than as a member of a police force or of the Royal Ulster Constabulary) in respect of which he was subject to superannuation arrangements (“the former service”);
- (c) was subject to the operation of any regulations made under section 69(4) of the National Insurance Act 1946⁽²¹⁾ or section 110(1) of the National Insurance Act 1965⁽²²⁾ or of other provisions modifying those superannuation arrangements in connection with the passing of the said Act of 1946 (“the modifications”), and
- (d) is entitled to reckon that pensionable service for the purposes of the pension in question,

the period in years specified in sub-paragraph (4) shall be increased by that period of pensionable service and, if he was subject to the modifications by virtue of an election made or notice given, the expression “appropriate date” in sub-paragraph (2) shall mean the date on which that election or notice became effective:

Provided that where only a proportion of the former service would have been taken into account for the purposes of the modifications, only that proportion of the pensionable service reckonable by virtue thereof shall be taken into account in determining the increase hereunder in the period specified in sub-paragraph (4).

Pension modifications connected with state graduated retirement benefit

2.—(1) Where a person in receipt of an ordinary, short service, ill-health or deferred pension has been in service or employment otherwise than as a regular policeman—

- (a) in respect of which he was subject to superannuation arrangements;
- (b) by reason of which he is entitled to reckon pensionable service for the purposes of the pension; and
- (c) the period of which includes a participating period of relevant employment,

then, for the purpose of abating the pension in relation to that participating period of relevant employment, any provision of the said arrangements in operation when he left the said service or employment the effect of which is that pensions payable thereunder are to be reduced in connection with the operation of the National Insurance Act 1959⁽²³⁾ or of any provision of the National Insurance Act 1965 relating to graduated contributions or graduated retirement benefit shall apply, subject to the necessary adaptations and modifications, as though the provision were contained in this paragraph and as if—

- (i) the pension were payable under the said arrangements, and

(21) 1946 c. 67.

(22) 1965 c. 51.

(23) 1959 c. 47.

(ii) any other period of service or employment by reason of which he is entitled to reckon pensionable service for the purposes of the pension were a period of non-participating employment at the end of which no payment in lieu of contributions falls to be made.

(2) A police authority, in determining any question arising under sub-paragraph (1) and relating to a particular service or employment, shall be entitled to treat as conclusive any relevant certificate issued, with the agreement of the person concerned, by his employer in that service or employment.

(3) Where for the purposes of the superannuation arrangements applicable to such service or employment as is mentioned in sub-paragraph (1) the person concerned was entitled to reckon service by reason of some previous service or employment, that previous service or employment shall be treated for the purposes of this paragraph as if it were part of the service or employment first mentioned in this sub-paragraph.

3.—(1) Where a person in receipt of an ordinary, short service, ill-health or deferred pension is entitled to reckon pensionable service for the purposes thereof by reason of a period of service as a regular policeman which is a participating period of relevant employment then, in respect of any period beyond state pensionable age, the unsecured portion of that pension shall be reduced in accordance with sub-paragraph (2).

(2) The reduction shall be calculated at the annual rate which is that of the graduated retirement benefit which would be payable to the pensioner, on the assumption that he retired from regular employment on attaining state pensionable age, in return for a payment in lieu of contributions in respect of the whole of the period referred to in sub-paragraph (1), whether or not such a payment was made.

4.—(1) Where a person in receipt of the secured portion of an ill-health pension, the unsecured portion of which has been terminated in the circumstances mentioned in Regulation K1(4), is also in receipt of some other pension, being an ordinary, short service, ill-health or deferred pension, and is entitled to reckon for the purposes of that other pension the period of pensionable service reckonable for the purposes of the ill-health pension then, in respect of any period beyond state pensionable age, the unsecured portion of that other pension shall be reduced in accordance with sub-paragraph (2).

(2) The reduction shall be calculated at the annual rate which is that of the secured portion of the ill-health pension.

Regulations B1, B2, B3 and B5

Part VIII

Reduction of Pension Related to Up-Rating of Widow's Pension

1.—(1) An ordinary, short service, ill-health or deferred pension payable to a man shall, in the cases hereinafter mentioned, be reduced in accordance with this Part except that a deferred pension payable in pursuance of paragraph 8(6)(b) of Part I of Schedule J shall not be so reduced.

(2) Any reference in this Part to a pension is a reference to a pension which falls to be reduced as aforesaid and any reference to police service is a reference to service as a member of a police force or of the Royal Ulster Constabulary.

2.—(1) Subject to sub-paragraph (2), this paragraph shall apply in the case of a man entitled to reckon pensionable service otherwise than—

(a) by reason of police service on or after 1st April 1972;

(b) by reason of police service before that date in respect of which he paid pension contributions at a rate related to 6.25% of his pensionable pay;

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- (c) by virtue of Regulation F3(1)(f) (*British Airports Authority constabulary service*), or
- (d) by virtue of Regulation F6 (*current interchange arrangements*).

(2) Where the man was a regular policeman to whom Regulation 59 or 60 of the Regulations of 1973 applied (that is to say, where on 1st April 1973 either he was serving as such or, having retired on or after 1st April 1972, he was entitled to a pension) and he last paid pension contributions before 1st April 1972 at a rate related to 5% of his pensionable pay, this paragraph shall not apply unless either—

- (a) he elected or agreed, under paragraph (2)(b) or (4)(a) of the said Regulation 59 or under paragraph (2)(b) of the said Regulation 60, that his pension be reduced, or
- (b) pensionable service became reckonable by him on or after 1st April 1987 by virtue of Regulation F4, F5 or F7 (*previous service and preserved interchange arrangements*).

(3) The pension of a man in whose case this paragraph applies shall, subject to the provisions of this Part, be reduced by the percentage specified in the second column of the Table in paragraph 7 opposite the number of completed years of pensionable service he is entitled to reckon other than pensionable service falling within either or both of the following sub-paragraphs, namely—

- (a) pensionable service reckonable as mentioned in sub-paragraph (1), and
- (b) where (subject to Regulations F4(3) and F5(2)(c)) he elected under Regulation 58(3) or 59(3) of the Regulations of 1973 to pay further pension contributions or to make a further payment by way of a lump sum, pensionable service reckonable by him immediately before 1st April 1973 otherwise than by reason of police service on or after 1st April 1972.

3.—(1) Subject to sub-paragraph (2), this paragraph shall apply in the case of a man entitled to reckon pensionable service otherwise than—

- (a) by reason of police service on or after 1st April 1972;
- (b) by virtue of Regulation F3(1)(f), or
- (c) by virtue of Regulation F6.

(2) Where the man was a regular policeman to whom Regulation 59 or 60 of the Regulations of 1973 applied, this paragraph shall not apply unless either—

- (a) he elected or agreed, under paragraph (3)(b) or (4)(b) of the said Regulation 59 or paragraph (3)(b) of the said Regulation 60, that his pension be reduced, or
- (b) pensionable service became reckonable by him, on or after 1st April 1987, by virtue of Regulation F4, F5 or F7.

(3) The pension of a man in whose case this paragraph applies shall be reduced by the percentage specified in the third column of the Table in paragraph 7 opposite the number of completed years of pensionable service he is entitled to reckon other than pensionable service falling within either or both of the following sub-paragraphs, namely—

- (a) pensionable service reckonable as mentioned in sub-paragraph (1), and
- (b) where (subject to Regulations F4(3) and F5(2)(c)) he elected under Regulation 58(2) or 59(3) of the Regulations of 1973 to pay additional contributions or to make an additional payment by way of a lump sum, pensionable service reckonable by him immediately before 1st April 1973 otherwise than by reason of police service on or after 1st April 1972.

4. In calculating the amount of a reduction in a man's pension under paragraph 2 or 3 no account shall be taken—

- (a) of any service he is entitled to reckon as pensionable service by virtue of section 10 of the Police Pensions Act 1921(24), or

(24) 1921 c. 31.

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(b) of any service on or after 1st April 1956 which he is entitled to reckon as pensionable service by virtue of Regulation 17 and the proviso to Regulation 18(1) (*relevant service in the armed forces*).

5. In calculating the amount of a reduction in a man's pension under paragraph 2 or 3 no account shall be taken of any reduction in the amount of the pension in accordance with the provisions of Regulation B7 or B9 (*commutation and allocation*) or of Part VII of this Schedule (*reduction at state pensionable age*); and, where the pension falls to be reduced under both those paragraphs, for the purpose of calculating each reduction, no account shall be taken of the other reduction.

6.—(1) Where a man entitled to an ordinary pension was, immediately before he retired, paying additional or further contributions in pursuance of an election under Regulation 58(2) or (3) of the Regulations of 1973, the annual amount of his ordinary pension shall be reduced for the period mentioned in sub-paragraph (2) by the annual amount of those contributions immediately before his retirement, calculated by reference to his pensionable pay at that time so, however, that no account of the said reduction shall be taken for the purpose of calculating any other reduction in the pension under these Regulations.

(2) The period referred to in sub-paragraph (1) shall be one corresponding to that for which the additional or further contributions would have remained payable had the man not retired but starting, where the pension is not payable as from the date of his retirement, with the date from which it is payable.

7. The following Table is that referred to in paragraphs 2 and 3:—

Table

Completed years of pensionable service taken into account	Percentage reduction in pension	
	Under paragraph 2	Under paragraph 3
1	0.2	0.2
2	0.4	0.4
3	0.5	0.5
4	0.6	0.7
5	0.8	0.8
6	0.9	0.9
7	1.0	1.0
8	1.2	1.1
9	1.3	1.2
10	1.5	1.3
11	1.6	1.4
12	1.7	1.5
13	1.8	1.6
14	1.9	1.6
15	2.0	1.7

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Completed years of pensionable service taken into account	Percentage reduction in pension	
	Under paragraph 2	Under paragraph 3
16	2.1	1.8
17	2.2	1.9
18	2.3	2.0
19	2.4	2.0
20	2.5	2.1
21	2.6	2.1
22	2.7	2.2
23	2.8	2.2
24	2.9	2.3
25	2.9	2.3
26	3.0	2.4
27	3.1	2.4
28	3.1	2.5
29	3.2	2.5
30 or more	3.3	2.5

8. Paragraph 6 has effect subject to paragraph 3 of Part VI of Schedule J.

SCHEDULE C

Widows' Awards

Regulation C1

Part I

Widow's Ordinary Pension

1.—(1) Subject to paragraphs 2 and 3, the annual amount of a widow's ordinary pension shall be whichever is the greater of the two following amounts, namely—

- (a) an amount equal to a half of the pension or notional pension mentioned in sub-paragraph (2), and
- (b) an amount equal to her husband's average pensionable pay divided by 160 and multiplied by the period in years of so much of his pensionable service as is reckonable by reason of service or employment after 5th April 1978.

(2) The pension or notional pension referred to in sub-paragraph (1)(a) is—

- (a) where the husband died while entitled to an ordinary, short service or ill-health pension, that pension;

- (b) where, having retired with both an ill-health and an injury pension, he died while no longer entitled to the ill-health pension but while entitled to the injury pension, the ill-health pension to which he would have been entitled had he not ceased to be entitled thereto;
- (c) where, having retired with an ill-health gratuity, he died as a result of the same injury as resulted in his disablement, the ill-health pension to which he would have been entitled had he retired in circumstances entitling him to such a pension, or
- (d) where he died while serving as a regular policeman, the ill-health pension to which he would have been entitled had he retired immediately before he died in circumstances entitling him to such a pension,

calculated, in each case, in accordance with sub-paragraph (3).

(3) For the purposes of sub-paragraph (1)(a), the pension or notional pension referred to in sub-paragraph (2)(a), (b), (c) or (d) shall be calculated without regard to—

- (a) the restrictions on payments on account of an ordinary pension contained in Regulation B1(5);
- (b) the provisions for the reduction of a pension contained in Regulation B7(7) and (8)(b) (commutation), in Regulation B9(7) (allocation) and in Parts VII and VIII of Schedule B (reductions at state pensionable age and related to up-rating of widow's pension).

Where the husband died before 1st April 1987, any reference in this sub-paragraph to a provision of these Regulations shall be construed as including a reference to the corresponding provision of the former Regulations.

2. The amount of a widow's ordinary pension calculated in accordance with paragraph 1 shall be increased in accordance with Regulation E9 (*increase by reference to the Pensions (Increase) Acts*).

3. Where in respect of any period a widow so elects, the weekly amount of her ordinary pension in respect of that period shall not be calculated as aforesaid but shall be determined by reference to the rank held by her husband in accordance with Regulation E10 (*flat-rate award*).

4. This Part has effect subject to paragraphs 2 to 5 of Part II of Schedule J. Regulations C2 and C3

Part II

Widow's Special Pension

1. Subject to paragraphs 2 and 3, the weekly amount of a widow's special pension calculated in accordance with this Part of this Schedule shall be equal to 45% of her husband's average pensionable pay for a week.

2.—(1) Where, in respect of any week, a pension is payable to the widow in pursuance of section 67 of the Social Security Act 1975(25) in consequence of her husband's death and the amount of that pension exceeds that of a widow's pension under section 26 of that Act as specified in Part I of Schedule 4 thereto at the time of the husband's death, then the amount of her special pension in respect of that week shall be reduced by that excess.

(2) Where the provisions governing the amount of pensions under section 67 of the Social Security Act 1975 have changed after the death of the husband, the reduction under sub-paragraph (1) in respect of any week shall not exceed the amount which would have been the amount thereof in respect of that week had those provisions not changed.

(25) 1975 c. 14, amended (as respects the provisions mentioned in this paragraph) by 1975 c. 18, Sch. 3, Pt. III; 1975 c. 60, Sch. 4, Pt. I; by virtue of 1986 c. 50, Sch. 3, para. 8, s.67 ceases to have effect on a day to be appointed, subject to the transitional provisions in para. 9.

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3. The weekly amount of a widow's special pension calculated in accordance with paragraphs 1 and 2, shall be increased in accordance with Regulation E9 (*increase by reference to the Pensions (Increase) Acts*).

4. Paragraph 2 has effect subject to paragraph 4 of Part VII of Schedule J.
Regulation C4

Part III

Widow's Accrued Pension

1.—(1) Subject to paragraphs 2 and 3, the annual amount of a widow's accrued pension shall equal a half of her husband's deferred pension.

(2) For the purposes of sub-paragraph (1), the husband's deferred pension shall be calculated without regard to—

- (a) the restrictions on payments contained in Regulation B5(4), and
- (b) the provisions for the reduction of a pension contained in Regulation B7(7) and (8)(b) (commutation), in Regulation B9(7) (allocation) and in Parts VII and VIII of Schedule B (reductions at state pensionable age and related to up-rating of widow's pension),

and, where the pension has been commuted for a lump sum under Regulation B8 (*commutation of small pensions*), as if it had not been so commuted.

Where the husband died before 1st April 1987, any reference in this sub-paragraph to a provision of these Regulations shall be construed as including a reference to the corresponding provision of the former Regulations.

2. The amount of a widow's accrued pension calculated in accordance with paragraph 1 shall be increased in accordance with Regulation E9 (*increase by reference to the Pensions (Increase) Acts*).

3.—(1) Subject to sub-paragraph (2), where in respect of any period a widow so elects, the weekly amount of her accrued pension in respect of that period shall not be calculated as aforesaid but shall be determined by reference to the rank held by her husband in accordance with Regulation E10 (*flat-rate award*).

(2) This paragraph shall only apply in the case of a widow whose husband was such a regular policeman entitled to reckon less than 5 years' pensionable service as is mentioned in Regulation B5(1)(b) (*policeman's deferred pension*) if, by reason of the period of service or employment otherwise than as a regular policeman there mentioned, he was entitled to reckon a period of pensionable service which was not shorter than that period of service or employment.

4. Paragraph 1(1) has effect subject to paragraphs 7 and 8 of Part II of Schedule J.
Regulation C5(3)

Part IV

Widow's Pension in Case of Post-Retirement Marriage

1. Where under Regulation C5(3) the widow of a regular policeman is entitled to such a pension as is there mentioned instead of a widow's ordinary pension or special award under Regulation C1 or C2, the annual amount of that pension shall be calculated in accordance with Part I of this Schedule in like manner as the annual amount of a widow's ordinary pension except that, for the purposes hereof, the said Part I shall have effect—

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- (a) as if the reference in paragraph 1(1)(a) thereof to a half of a pension or notional pension were a reference to a half of the appropriate proportion thereof within the meaning of paragraph 3 of this Part;
- (b) as if paragraph 3 thereof (*election for flat-rate award*) were omitted, and
- (c) where the pension is instead of a widow's special award under Regulation C2, as if the pension or notional pension referred to in paragraph 1(1)(a) were the ill-health pension to which the husband would have been entitled had he, when he ceased to serve, retired because he was disabled in circumstances entitling him to such a pension.

2. Where under Regulation C5(3) the widow of a regular policeman is entitled to such a pension as is there mentioned instead of a widow's accrued pension under Regulation C4, the annual amount of that pension shall be calculated in accordance with Part III of this Schedule in like manner as the annual amount of a widow's accrued pension except that, for the purposes hereof, the said Part III shall have effect as if—

- (a) the reference in paragraph 1(1) thereof to a half of the husband's deferred pension were a reference to whichever is the greater of the two following amounts, namely—
 - (i) an amount equal to a half of the appropriate proportion of that pension within the meaning of paragraph 3 of this Part, and
 - (ii) an amount equal to the husband's average pensionable pay divided by 160 and multiplied by the period in years of so much of his pensionable service as is reckonable by reason of service or employment after 5th April 1978, and
- (b) paragraph 3 thereof (*election for flat-rate award*) were omitted.

3. In this Part the appropriate proportion means the proportion which the husband's pensionable service reckonable by reason of service or employment after 5th April 1978 bears to his total pensionable service.

Regulations C6 and C8

Part V

Widow's Requisite Benefit Pension

1. Subject to paragraph 2, the annual amount of a widow's requisite benefit pension shall be an amount equal to her husband's average pensionable pay divided by 160 and multiplied by the period in years of his pensionable service reckonable by reason of service or employment after 5th April 1978.

2. The amount of a pension calculated in accordance with paragraph 1 shall be increased in accordance with Regulation E9 (*increase by reference to the Pensions (Increase) Acts*).

SCHEDULE D

Children's Awards

Regulation D1

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Part I

Child's Ordinary Allowance

1.—(1) Where one of the child's parents is alive, the child's ordinary allowance in respect of the death of a regular policeman ("the relevant parent") shall, subject to paragraphs 4 and 5, be determined in accordance with this paragraph.

(2) Subject to sub-paragraphs (3) and (4), an allowance determined in accordance herewith shall be of an annual amount equal to 18.75% of the amount of the relevant parent's pension or notional pension mentioned in paragraph 3.

(3) Subject to sub-paragraph (4), where 3 or more children's allowances are for the time being payable in respect of the death of the same person, an allowance determined in accordance herewith shall be of an annual amount equal to 37.5% of the relevant parent's pension or notional pension mentioned in paragraph 3 divided by the total number of allowances so payable.

(4) Where in respect of any week the aggregate rate at which—

- (a) any widow's ordinary pension, and
- (b) any children's allowances determined in accordance herewith,

would be payable in respect of a person who died while entitled to an ordinary, short service, ill-health or injury pension ("the principal pension") exceeds the rate at which the principal pension was payable immediately before that person's death, the children's allowances shall be reduced by such factor as will ensure that the said aggregate rate does not exceed the rate at which the principal pension was so payable.

(5) For the purposes of sub-paragraph (4) there shall be ignored—

- (a) in the case of a widow's pension or child's allowance, any increase therein in accordance with Regulation E9 (*increase by reference to the Pensions (Increase) Acts*), and
- (b) in the case of the principal pension—
 - (i) the restrictions on payments on account of an ordinary pension contained in Regulation B1(5), and
 - (ii) the provisions for the reduction of a pension contained in Parts VII and VIII of Schedule B (reductions at state pensionable age and related to up-rating of widow's pension),

and where the relevant parent was entitled both to an ordinary, short service or ill-health pension and to an injury pension, the reference in sub-paragraph (4) to the rate at which the principal pension was payable shall be construed (subject to sub-paragraph (b)) as a reference to the aggregate rate at which those pensions were payable.

2.—(1) Where the relevant parent was the child's only surviving parent or in respect of any period after the death of the child's other parent, the child's ordinary allowance shall, subject to paragraphs 4 and 5, be determined in accordance with this paragraph.

(2) Subject to sub-paragraph (3), an allowance determined in accordance herewith shall be of an annual amount equal to 25% of the relevant parent's pension or notional pension mentioned in paragraph 3.

(3) Where 3 or more children's ordinary allowances are for the time being payable in respect of the death of the same person, an allowance determined in accordance herewith shall be of an annual amount equal to 50% of the relevant parent's pension or notional pension mentioned in paragraph 3 divided by the total number of allowances so payable.

3.—(1) The pension or notional pension referred to in paragraphs 1 and 2 is—

- (a) where the relevant parent died while entitled to an ordinary, short service or ill-health pension, that pension;
- (b) where, having retired with both an ill-health and an injury pension, he died while no longer entitled to the ill-health pension but while entitled to the injury pension, the ill-health pension to which he would have been entitled had he not ceased to be entitled thereto;
- (c) where he retired with a gratuity when entitled to reckon at least 3 years' pensionable service, the ill-health pension to which he would have been entitled had he retired in circumstances entitling him to such a pension, or
- (d) where he died while serving as a regular policeman, the ill-health pension to which he would have been entitled had he retired immediately before he died in circumstances entitling him to such a pension,

calculated, in each case, in accordance with sub-paragraph (2).

(2) The pension or notional pension referred to in sub-paragraph (1)(a), (b), (c) or (d) shall be calculated without regard to—

- (a) the restrictions on payments on account of an ordinary pension contained in Regulation B1(5), and
- (b) the provisions for the reduction of a pension contained in Regulation B7(7) and (8)(b) (*commutation*), in Regulation B9(7) (*allocation*) and in Parts VII and VIII of Schedule B (*reductions at state pensionable age and related to up-rating of widow's pension*).

4. The amount of a child's ordinary allowance determined in accordance with sub-paragraph (2) or (3) of paragraph 1 or, as the case may be, of paragraph 2 shall be increased in accordance with Regulation E9 (*increase by reference to the Pensions (Increase) Acts*).

5. Where in respect of any period a person to whom a child's ordinary allowance is paid so elects, the amount of that allowance in respect of that period shall not be calculated as aforesaid but shall be determined by reference to the rank held by the relevant parent in accordance with Regulation E10 (*flat-rate award*).

6. Where the relevant parent died before 1st April 1987, any reference in paragraph 1(5)(b) or 3(2) to a provision of these Regulations shall be construed as including a reference to the corresponding provision of the former Regulations.

7. This Part has effect subject to paragraphs 1(3), 2 and 3 of Part III of Schedule J.
Regulation D2

Part II

Child's Special Allowance

1.—(1) Where one of the child's parents is alive, the child's special allowance in respect of the death of a member of a police force ("the relevant parent") shall, subject to paragraph 3, be determined in accordance with this paragraph.

(2) Subject to sub-paragraph (3), an allowance determined in accordance herewith shall be of an amount equal to 10% of the average pensionable pay for a week of the relevant parent.

(3) Where 5 or more children's special allowances are payable in respect of the death of the same person, an allowance determined in accordance herewith shall be of an amount equal to 40% of the average pensionable pay for a week of the relevant parent divided by the total number of allowances so payable.

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2.—(1) Where the relevant parent was the child’s only surviving parent, or in respect of the period after the death of the child’s other parent, the child’s special allowance shall, subject to paragraph 3, be determined in accordance with this paragraph.

(2) Subject to sub-paragraph (3), an allowance determined in accordance herewith shall be of an amount equal to 20% of the average pensionable pay for a week of the relevant parent.

(3) Where 5 or more children’s special allowances are payable in respect of the death of the same person, an allowance determined in accordance herewith shall be of an amount equal to 80% of the average pensionable pay for a week of the relevant parent divided by the total number of allowances so payable.

3. The amount of a child’s special allowance determined in accordance with paragraph 1 or 2 shall be increased in accordance with Regulation E9 (*increase by reference to the Pensions (Increase) Acts*).

Regulation D4

Part III

Child’s Accrued Allowance

1. Subject to paragraphs 2 and 3, a child’s accrued allowance shall be determined in like manner as an ordinary allowance would be determined under Part I of this Schedule (“Part I”) if the child were entitled to such an allowance.

2.—(1) Paragraphs 1(2) and (3) and 2(2) and (3) of Part I as applied hereby shall have effect without regard to paragraph 2 of Part III of Schedule J but as if for any reference in the said paragraphs of Part I to the relevant parent’s pension or notional pension there were substituted a reference to his deferred pension calculated in accordance with the following sub-paragraph.

(2) For the purposes of paragraph 1(2) and (3) or 2(2) and (3) of Part I as so applied, the relevant parent’s deferred pension shall be calculated without regard to—

- (a) the restrictions on payments contained in Regulation B5(4);
- (b) the provisions for the reduction of a pension contained in Regulation B7(7) and (8)(b) (commutation), in Regulation B9(7) (allocation) and in Parts VII and VIII of Schedule B (reductions at state pensionable age and related to up-rating of widow’s pension).

3.—(1) Paragraph 1(4) and (5) of Part I as applied hereby shall have effect as if—

- (a) the reference to a widow’s ordinary pension were a reference to a widow’s accrued pension, and
- (b) any reference to an ordinary pension or to the principal pension were a reference to the relevant parent’s deferred pension calculated in accordance with the following sub-paragraph.

(2) For the purposes of paragraph 1(4) of Part I as so applied, the relevant parent’s deferred pension shall be calculated without regard to the restrictions on payments contained in Regulation B5(4).

4. Where the relevant parent died before 1st April 1987, any reference in paragraph 2(2) or 3(2) to a provision of these Regulations shall be construed as including a reference to the corresponding provision of the former Regulations.

5. Paragraph 2 has effect subject to paragraph 4 of Part III of Schedule J.

Regulation D5

Part IV

Reduction in Child's Allowance During Full-Time Remunerated Training Etc.

1.—(1) In this Part—

“relevant child” means, subject to sub-paragraph (2), a child entitled to an allowance who is—

- (a) in full-time training for a trade, profession or calling, and
- (b) in receipt of remuneration in respect of that training at an annual rate in excess of the specified rate;

“specified rate” means the annual rate (rounded up to the nearest £1) at which an official pension within the meaning of the Pensions (Increase) Act 1971⁽²⁶⁾ would be payable when increased under that Act if, within the meaning thereof, the basic rate of the pension were £250, it began on 1st June 1972 and the pensioner satisfied the qualifying conditions and if the pension fell to be paid in respect of periods for which the relevant child's remuneration falls to be paid;

“excess remuneration” means the annual amount by which the annual rate of the relevant child's remuneration exceeds the specified rate;

“relevant provision” means paragraph 1(3) or 2(3) of Part I of this Schedule (including those provisions as applied by Part III thereof) or paragraph 1(3) or 2(3) of Part II thereof.

(2) A child shall not be a relevant child for the purposes of this Part—

- (a) if he is entitled to an allowance in respect of the death of a member of a police force who ceased to be such before 15th August 1983, unless and until he has attained the age of 19 years;
- (b) if and so long as his allowance falls to be increased in accordance with Regulation E8 (increase during first 13 weeks).

2. In the case of any relevant child—

- (a) if the annual amount of the allowance is greater than the amount of his excess remuneration, it shall be reduced by the amount of that excess remuneration, or
- (b) if the amount of that excess remuneration is equal to or greater than the annual amount of the allowance which, but for this sub-paragraph, would be payable to him, the allowance shall not be payable.

3.—(1) Where as well as any relevant child there are other children to whom allowances are payable in respect of the death of the same person and any of the relevant provisions apply, the allowances payable to those other children (“the other allowances”) shall be increased as hereinafter provided.

(2) If paragraph 2(a) applies in the case of any relevant child, then, without prejudice to sub-paragraph (3), the annual amount of each of the other allowances shall be increased by an amount equal to his excess remuneration divided by the number of other allowances.

(3) If paragraph 2(b) applies in the case of any relevant child, then, without prejudice to sub-paragraph (2), each of the other allowances shall be recalculated as if the relevant child were not entitled to an allowance.

(4) Notwithstanding the provisions of sub-paragraphs (2) and (3), no child shall by virtue of those provisions receive an allowance greater than that to which he would be entitled if no relevant provision applied in his case.

(26) 1971 c. 56.

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SCHEDULE E

Awards on Death—Additional Provisions

Regulation E1

Part I

Dependent Relative's Special Pension

1. Subject to paragraphs 2, 3 and 4, a dependent relative's special pension shall be of a weekly amount equal to 45% of the average pensionable pay for a week of the member of a police force in respect of whose death it was granted ("the deceased").

2. In respect of any week for which there are payable in respect of the deceased's death both—
- (a) a widow's special pension or, where the deceased was a married woman, a dependent relative's special pension granted to her widower, and
 - (b) a dependent relative's special pension other than, where the deceased was a married woman, one granted as aforesaid,

the dependent relative's special pension mentioned in sub-paragraph (b) shall not be of the amount mentioned in paragraph 1 but, subject to paragraphs 3 and 4, of an amount equal to 20% of the deceased's average pensionable pay for a week.

3. The amount of a dependent relative's special pension determined in accordance with paragraph 1 or 2 shall be increased in accordance with Regulation E9 (*increase by reference to the Pensions (Increase) Acts*).

- 4.—(1) Where in respect of any week the aggregate amount of—
- (a) any widow's special pension, and
 - (b) any child's special allowance,

payable in respect of the deceased's death equals or exceeds the amount of the deceased's average pensionable pay for a week, no dependent relative's special pension shall be payable in respect of that week.

- (2) Where in respect of any week the aggregate amount of—
- (a) any widow's special pension,
 - (b) any child's special allowance, and
 - (c) any dependent relative's special pension,

payable in respect of the deceased's death would exceed the amount of the deceased's average pensionable pay for a week, the dependent relative's pension shall be reduced by such factor as will ensure that the said aggregate does not exceed the said amount.

(3) For the purposes of this paragraph any increase in a pension or allowance in accordance with Regulation E9 (*increase by reference to the Pensions (Increase) Acts*) shall be ignored.

Regulation E4

Part II

Gratuity in Lieu of Widow's Pension

The gratuity referred to in Regulation E4 shall be of an amount equal to 11 times the annual value of the pension or, as the case may be, of that part thereof which is commuted or of such greater amount

as may be agreed between the police authority and the widow, not exceeding the capitalised value of the pension or, as the case may be, that part thereof which is commuted, calculated in accordance with tables prepared from time to time for the purpose by the Government Actuary.
Regulation E5

Part III

Gratuity in Lieu of Child's Allowance

The gratuity referred to in Regulation E5 shall be of such amount as may be agreed between the police authority and the child's surviving parent or guardian, or between the police authority and the child where he has no such parent or guardian, not exceeding the capitalised value of the allowance or, as the case may be, of that part thereof which is commuted, calculated in accordance with tables prepared from time to time for the purpose by the Government Actuary.

SCHEDULE F

Pensionable Service and Transfer Values

Regulations F4, F5 and F7

Part I

Payment by Policeman in Respect of Previous Service other than Police Service

1.—(1) Where a regular policeman undertakes to pay a sum in accordance with this Part he shall, subject as hereafter in this Part provided, pay by regular instalments of such amount that the payment of the sum will be completed within a period of 5 years and before he becomes liable to be required to retire on account of age:

Provided that he may at any time discharge his liability under the undertaking, in whole or in part, by paying the whole or part of the balance of the sum then outstanding.

(2) Any payment in accordance with this paragraph shall be made by the policeman to the police authority of the force in which he is serving when the payment falls to be made and, without prejudice to any other method of payment, the liability to make any such payment may be discharged by way of a deduction by the said authority from his pay.

2. If, before he has discharged his liability under the undertaking, a regular policeman—
- (a) retires without an award other than one of the amount of his aggregate pension contributions in respect of the relevant period of service;
 - (b) leaves his police force on joining the Royal Ulster Constabulary with the consent of the police authority;
 - (c) dies, or
 - (d) is dismissed,

all further liability under that undertaking shall cease.

3. If, before he has discharged his liability under the undertaking, a regular policeman retires with an award other than one of the amount of his aggregate pension contributions in respect of the relevant period of service, the police authority by whom the award is payable shall be empowered to deduct the balance of the sum then outstanding from payments on account of the award:

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Provided that where a payment is made on account of an ordinary or ill-health pension and in respect of a period beyond state pensionable age no deduction shall be made from so much of the payment as is on account of the secured portion of the pension.
Regulations F6, F8 and F9

Part II

Transfers and Current Interchange Arrangements

Section 1—

Transfer value payable by police authority under Regulation F8 or F9

1.—(1) A transfer value payable by a police authority under Regulation F8 or F9 in respect of a regular policeman shall be calculated in accordance with this Section and the Table set out in Section 3 of this Part of this Schedule by reference to—

- (a) his age in years on ceasing to be a member of his former force;
- (b) his notional deferred pension, that is to say the deferred pension to which he would have been entitled had he, on so ceasing, been entitled to such a pension, and any reduction therein in accordance with Part VII of Schedule B (*reduction at state pensionable age*);
- (c) in the case of a man, his widow's notional accrued pension, that is to say the widow's accrued pension to which, on the assumption aforesaid, his widow would become entitled were he to die while entitled to a deferred pension leaving a widow entitled to an accrued pension;
- (d) in the case of a regular policeman who had undertaken to make payments by way of regular instalments as mentioned in Part I of this Schedule, the payments not completed before he ceased to be a member of his former force;
- (e) in the case of a regular policeman who, at the time of his ceasing to be a member of his former force, has a guaranteed minimum in relation to the pension provided by these Regulations, the amount of that guaranteed minimum, and
- (f) the amount of any contributions equivalent premium relating to the period ending with his retirement which has been paid by the police authority and not repaid;

and any reference in this Section to the policeman's notional deferred pension or widow's notional accrued pension shall be construed accordingly.

(2) In this Section any reference to the Table is a reference to the Table set out in Section 3 of this Part of this Schedule and any reference to the appropriate factor specified in a column of that Table is a reference to the factor specified in the column in question in relation to the policeman's age within the meaning of sub-paragraph (1)(a).

(3) In this Section any reference to a policeman's former force is a reference to the force maintained by the police authority by whom the transfer value is payable.

2.—(1) The annual amount of the policeman's notional deferred pension, disregarding any reduction therein at state pensionable age, shall be multiplied by the appropriate factor specified in the second column of the Table or, in the case of a woman, in the fifth column thereof.

(2) Where the policeman's notional deferred pension would fall to be reduced under paragraph 1 of Part VII of Schedule B (*reduction connected with state flat-rate benefit*), the product under sub-paragraph (1) shall be reduced by an amount equal to the annual amount of that reduction multiplied

by the appropriate factor specified in the third column of the Table or, in the case of a woman, in the sixth column thereof.

(3) In the case of a policeman entitled to reckon pensionable service, immediately before he ceased to be a member of his former force, by reason of a participating period of relevant employment, the product under sub-paragraph (1) shall be reduced by an amount equal to the annual amount by which the policeman's notional deferred pension would fall to be reduced under paragraphs 2 and 3 of Part VII of Schedule B (*reduction connected with state graduated retirement benefit*) multiplied by the appropriate factor specified in the third column of the Table or, in the case of a woman, in the sixth column thereof.

(4) For the purposes of sub-paragraph (3) a period shall be treated as a participating period of relevant employment notwithstanding that a payment in lieu of contributions only fell to be made after the policeman ceased to be a member of his former force.

(5) The product under sub-paragraph (1), subject to any reduction under sub-paragraphs (2) and (3), is in paragraph 5 referred to as the basic element of the transfer value.

3.—(1) In the case of a man, the annual amount of the policeman's widow's notional accrued pension, disregarding paragraphs 2 and 3 of Part III of Schedule C (*increase by reference to the Pensions (Increase) Acts and flat-rate award*), shall be multiplied by the factor 4.

(2) The said product is in paragraph 5 referred to as the widow's element of the transfer value.

4. For the purpose of calculating a transfer value payable as mentioned in paragraph 1, Part VI of Schedule B (*policeman's deferred pension*) shall apply as if references to the policeman's average pensionable pay were references to his average pensionable pay immediately before he ceased to serve except that in the case of a transfer value which falls to be paid in pursuance of Regulation F8 or of Regulation F9(3)(a) or (b) no account shall be taken of any retrospective increase in pay granted after the transfer value has been paid.

5. Subject to the following paragraphs, the transfer value shall be of an amount—

- (a) in the case of a man, equal to the sum of the basic element calculated in accordance with paragraph 2 and the widow's element calculated in accordance with paragraph 3;
- (b) in the case of a woman, equal to the basic element calculated in accordance with paragraph 2.

6.—(1) This paragraph shall apply in the case of a policeman who had undertaken to make payments by regular instalments in accordance with Part I of this Schedule but had not completed those payments before he ceased to be a member of his former force; and the payments not completed before he so ceased are, in this paragraph, referred to as the outstanding instalments.

(2) The transfer value shall be reduced by the actuarial equivalent of the outstanding instalments calculated, in accordance with tables prepared by the Government Actuary, by reference to the amount of each instalment, the interval at which instalments were payable and the number of outstanding instalments.

7. Where a regular policeman at the time of ceasing to be a member of his former force has a guaranteed minimum in relation to the pension provided by these Regulations, the transfer value shall be reduced by the amount of that guaranteed minimum, expressed as an annual pension, multiplied by the appropriate factor specified in the fourth column of the Table or, in the case of a woman, in the seventh column thereof.

8. Where a contributions equivalent premium relating to the period ending with the policeman's retirement has been paid by the police authority and has not been repaid, the transfer value shall be reduced by the amount of that premium.

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9.—(1) This paragraph shall apply where a transfer value payable between police authorities under Regulation F8 is so payable in respect of previous service reckonable under Regulation F5.

(2) Where this paragraph applies the transfer value shall be reduced by an amount equal to the appropriate payment, within the meaning of Regulation F5(2)(c), which falls to be made by the policeman under Regulation F5(1) except that, where the appropriate payment would have been of a greater amount but for Regulation B11 or Regulation 82 of the Regulations of 1973 (*deduction of tax from certain awards*), the transfer value shall be reduced by that greater amount.

10.—(1) This paragraph shall apply where a transfer value is payable under Regulation F9 in respect of a regular policeman who has given a notice of allocation under Regulation B9(4)(a) and that notice has become effective under Regulation B9(6).

(2) Where this paragraph applies the transfer value shall be adjusted by such amount, calculated by the Government Actuary, as takes account of the effect which the notice of allocation had on the benefits prospectively payable to or in respect of the policeman as at the time when the transfer value became payable.

11.—(1) This paragraph shall apply where a transfer value is not paid within 6 months of the policeman ceasing to be a member of his former force.

(2) The transfer value calculated in accordance with the preceding provisions of this Section shall be increased by an amount equal to compound interest thereon at the rate of 2½ per cent for each completed 3 months of the period beginning with the date he ceased to be a member of his former force and ending with the date of payment of the transfer value (disregarding any residual period of less than 3 months).

12. This Section has effect subject to paragraphs 2 and 3 of Part V of Schedule J.

Section 2—

Pensionable service reckonable on receipt of transfer value

1.—(1) The period of pensionable service reckonable by a regular policeman under Regulation F6 by virtue of the receipt of a transfer value by the police authority shall be calculated in accordance with this Section and the Table set out in Section 3 of this Part of this Schedule by reference to—

- (a) the amount of the transfer value and of any increase therein by way of interest subject, however, to sub-paragraph (4);
- (b) his age in years at the date mentioned in sub-paragraph (2), (3) or (4), whichever applies in his case;
- (c) his pensionable emoluments within the meaning of the sub-paragraph in question;
- (d) the provisions of Part VII of Schedule B relating to reduction of pension at state pensionable age, and
- (e) where he, on ceasing to be in his former service, had a guaranteed minimum in relation to the pension provided by his former superannuation arrangements, the amount of that guaranteed minimum;

and any reference in this Section to the policeman's age or pensionable emoluments shall be construed accordingly.

(2) Subject to sub-paragraph (4), this sub-paragraph shall apply where—

- (a) by reason of his former service the policeman was subject to superannuation arrangements which—

- (i) were contained in a public general Act of Parliament or were made under such an Act by a Minister of the Crown, or
 - (ii) were contained in Northern Ireland legislation being public general legislation or were made under such legislation by a Minister of the Crown (including a Northern Ireland Minister) or by a Northern Ireland ministry, department or head of department, or
- (b) the police authority are satisfied that the transfer value was calculated in like manner as under some such superannuation arrangements as aforesaid;

and, in such case, the policeman's age for the purposes of sub-paragraph (1)(b) shall be his age on ceasing to be in his former service and his pensionable emoluments for the purposes of sub-paragraph (1)(c) shall be the annual value of the emoluments (including averaged emoluments) in relation to which the transfer value was calculated or would have been calculated if part thereof had not been disregarded on account of provisions of the superannuation arrangements connected with state retirement pensions under section 28 of the Social Security Act 1975(27).

(3) Subject to sub-paragraph (4), in a case in which sub-paragraph (2) does not apply, the policeman's age for the purposes of sub-paragraph (1)(b) and his pensionable emoluments for the purposes of sub-paragraph (1)(c) shall be, respectively, his age and his annual pensionable pay as a regular policeman—

- (a) on his becoming such, where the transfer value is received within 12 months of his ceasing to be in his former service, or
- (b) on the date the transfer value is received, where it is received later.

(4) Where pensionable service reckonable under Regulation F6 is so reckonable by virtue of paragraph (3) of that Regulation in the case of a regular policeman who became such before 1st April 1972, then, notwithstanding the preceding provisions of this paragraph—

- (a) if, before or within 3 months of receiving the transfer value the police authority are notified that, inclusive of any increase by way of interest, it would have been of a different amount, specified by the payor thereof, had it been calculated and paid on 1st January 1974, then, for the purposes of this Section the transfer value shall be treated as though it were of the amount so specified;
- (b) the policeman's age for the purposes of sub-paragraph (1)(b) shall be his age on 1st January 1974, and
- (c) his pensionable emoluments for the purposes of sub-paragraph (1)(c) shall be his annual pensionable pay as a regular policeman on 1st January 1974 or, if he was not serving as such on that date, on the date on which he first thereafter became a regular policeman.

(5) In this Section any reference to the Table is a reference to the Table set out in Section 3 of this Part of this Schedule and any reference to the appropriate factor specified in a column of that Table is a reference to the factor specified in the column in question in relation to the policeman's age within the meaning of sub-paragraph (1)(b).

(6) In this Section any reference to a policeman's former service is a reference to the service in respect of which the transfer value is paid.

2.—(1) Where in a case to which paragraph 1(2) applies the transfer value was increased by the inclusion therein of interest calculated from the date when the policeman ceased to be in his former service, it shall be adjusted by the deduction of that interest.

(2) Where in any case any such pension as is mentioned in paragraph 2 of Part VII of Schedule B (*reduction connected with state graduated retirement benefit*) as might become payable to the

(27) 1975 c. 14.

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policeman would fall to be abated in accordance with that paragraph, the annual amount of that abatement shall be calculated and multiplied by the appropriate factor specified in the third column of the Table or, in the case of a woman, in the sixth column thereof; and the transfer value shall be adjusted by the addition of that product.

(3) Where on the date that the policeman ceased to be in his former service he had a guaranteed minimum in relation to the pension provided by his former superannuation arrangements, the amount of that guaranteed minimum, expressed as an annual pension, shall be multiplied by the appropriate factor specified in the fourth column of the Table or, in the case of a woman, in the seventh column thereof, and the transfer value shall be adjusted by the addition of that product.

(4) The transfer value, subject to any such adjustment as aforesaid, is in paragraph 4 referred to as the adjusted transfer value.

3.—(1) The policeman’s pensionable emoluments shall be multiplied by a factor 2.00 greater than the appropriate factor specified in the second column of the Table or, in the case of a woman, by the appropriate factor specified in the fifth column thereof.

(2) The said product shall be divided by 45.

(3) Where any such pension as is mentioned in paragraph 1 of Part VII of Schedule B (*reduction connected with state flat-rate retirement benefit*) as might become payable to the policeman would fall to be reduced in accordance with that paragraph and sub-paragraph (5) thereof applies, the amount of the reduction for each year of service relevant for the purposes of that paragraph shall be multiplied by the appropriate factor specified in the third column of the Table or, in the case of a woman, in the sixth column thereof; and the quotient under sub-paragraph (2) shall be adjusted by the deduction of the said product.

(4) The quotient under sub-paragraph (2), subject to any such adjustment as aforesaid, is in paragraph 4 referred to as the divisor.

4. The adjusted transfer value calculated in accordance with paragraph 2 shall be divided by the divisor calculated in accordance with paragraph 3 and the quotient (including any fraction) shall be the number of years reckonable as pensionable service.

5. Paragraph 1(2) has effect subject to paragraph 7 of Part IV of Schedule J.

Section 3—

Table referred to in Sections 1 and 2

Age last birthday before date of cessation (1)	Men			Women		
	Basic factor (2)	N.I. factor (3)	GMP factor (4)	Basic factor (5)	N.I. factor (6)	GMP factor (7)
Less than 20	5.00	.25	1.47	7.00	.50	2.20
20	5.05	.25	1.50	7.05	.50	2.24
21	5.10	.25	1.53	7.10	.55	2.28
22	5.15	.30	1.56	7.15	.60	2.32
23	5.20	.30	1.59	7.20	.65	2.36

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Age last birthday before date of cessation	Men			Women		
	Basic factor	N.I. factor	GMP factor	Basic factor	N.I. factor	GMP factor
(1)	(2)	(3)	(4)	(5)	(6)	(7)
24	5.25	.30	1.62	7.25	.70	2.40
25	5.30	.35	1.65	7.35	.75	2.45
26	5.35	.40	1.68	7.40	.80	2.50
27	5.40	.40	1.71	7.45	.85	2.55
28	5.45	.45	1.74	7.50	.90	2.60
29	5.50	.50	1.78	7.55	.95	2.66
30	5.55	.50	1.81	7.65	1.05	2.71
31	5.60	.55	1.85	7.70	1.15	2.77
32	5.65	.60	1.88	7.80	1.25	2.82
33	5.70	.65	1.92	7.90	1.35	2.88
34	5.75	.70	1.95	7.95	1.45	2.93
35	5.80	.80	1.99	8.05	1.55	2.99
36	5.85	.90	2.02	8.15	1.65	3.05
37	5.90	1.00	2.06	8.25	1.75	3.11
38	5.95	1.10	2.10	8.35	1.85	3.17
39	6.00	1.20	2.14	8.45	1.95	3.24
40	6.05	1.30	2.18	8.55	2.10	3.31
41	6.10	1.40	2.22	8.65	2.25	3.38
42	6.15	1.50	2.26	8.75	2.45	3.45
43	6.20	1.60	2.30	8.85	2.65	3.52
44	6.25	1.70	2.34	8.95	2.90	3.59
45	6.30	1.80	2.39	9.05	3.15	3.66
46	6.40	1.90	2.44	9.15	3.40	3.74
47	6.50	2.00	2.48	9.25	3.70	3.82
48	6.60	2.20	2.53	9.35	4.00	3.90
49	6.70	2.40	2.58	9.45	4.35	3.98
50	6.80	2.60	2.62	9.55	4.75	4.06
51	6.90	2.90	2.67	9.65	5.15	4.15
52	7.10	3.20	2.72	9.80	5.60	4.24
53	7.30	3.50	2.78	9.95	6.10	4.33

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Age last birthday before date of cessation (1)	Men			Women		
	Basic factor (2)	N.I. factor (3)	GMP factor (4)	Basic factor (5)	N.I. factor (6)	GMP factor (7)
54	7.50	3.80	2.84	10.10	6.65	4.43
55	7.70	4.20	2.90	10.30	7.25	4.53
56	8.00	4.60	2.97	10.50	7.95	4.63
57	8.30	5.00	3.04	10.75	8.75	4.74
58	8.60	5.40	3.12	11.05	9.65	4.85
59	9.00	5.80	3.20	11.40	10.65	4.97
60	9.50	6.30	3.28	11.75	11.75	—
61	9.50	6.80	3.36	11.75	11.75	—
62	9.50	7.40	3.44	11.75	11.75	—
63	9.50	8.10	3.53	11.75	11.75	—
64	9.50	9.00	3.64	11.75	11.75	—
65	9.50	9.50	—	11.75	11.75	—

Regulation F7

Part III

Preserved Interchange Arrangements

Section 1—

Civil service and Metropolitan Police Civil Staff service

1. This Section shall apply in relation to service or employment—
 - (a) as a civil servant, or
 - (b) in the metropolitan civil staffs within the meaning of section 15 of the Superannuation (Miscellaneous Provisions) Act 1967(28).
2. In relation to the said service or employment the specified date for the purposes of Regulation F7 shall be 1st January 1967.
3. In relation to the said service or employment the transfer value for the purposes of Regulation F7 shall be one payable under the provisions of a scheme made under section 1 of the Superannuation Act 1972(29) or of Rules made under sections 2 and 15 of the Superannuation (Miscellaneous

(28) 1967 c. 28.

(29) 1972 c. 11.

Provisions) Act 1948⁽³⁰⁾, including such provisions as they have effect by virtue of section 15(2) of the Superannuation (Miscellaneous Provisions) Act 1967.

4. The specified authority for the purposes of Regulation F7 shall be—
 - (a) in relation to service or employment as a civil servant, the Treasury or the Minister for the Civil Service;
 - (b) in relation to service or employment in the metropolitan civil staffs, the Secretary of State.
5. In relation to such service or employment as is mentioned in paragraph 1, Regulation F7(1) shall have effect—
 - (a) where the relevant date was before 1st April 1972, as if sub-paragraph (c) were omitted, and
 - (b) where the relevant date was before 15th February 1971, as if sub-paragraph (e)(ii) were also omitted.

Section 2—

Local Government, Fire, Education and Health service

1. This Section shall apply in relation to service or employment—
 - (a) such as is mentioned in section 2(2)(c), (cc), (d), (e) or (ee) of the Superannuation (Miscellaneous Provisions) Act 1948;
 - (b) in respect of which awards may be made under the Firemen's Pensions Scheme, that is to say, under the Scheme for the time being in force under section 26 of the Fire Services Act 1947⁽³¹⁾, or
 - (c) in respect of which awards may be made under Regulations for the time being in force under section 10 of the Superannuation Act 1972, section 67 of the National Health Service Act 1946⁽³²⁾, or section 66 of the National Health Service (Scotland) Act 1947⁽³³⁾.
- 2.—(1) Subject to sub-paragraph (2), in relation to the said service or employment the specified date for the purposes of Regulation F7 shall be 15th February 1971.
(2) Where in relation to a particular service or employment no provisions were in operation on 15th February 1971 for the payment of a transfer value to the police authority, as mentioned in Regulation F7(1)(d), then in relation thereto the specified date for the purposes of Regulation F7 shall be the date on which such provisions first thereafter came into operation.
3. In relation to such service or employment as is mentioned in paragraph 1, the transfer value for the purposes of Regulation F7 shall be one payable under Rules made under sections 2 and 15 of the Superannuation (Miscellaneous Provisions) Act 1948 or under Regulations made under section 67 of the National Health Service Act 1946, section 66 of the National Health Service (Scotland) Act 1947 or section 7, 8, 9 or 10 of the Superannuation Act 1972.
4. The specified authority for the purposes of Regulation F7 shall be—
 - (a) in relation to such employment as is mentioned in section 2(2)(c), (cc) or (d) of the Superannuation (Miscellaneous Provisions) Act 1948, the local authority maintaining the superannuation fund in the benefits of which the person concerned was entitled to participate;

⁽³⁰⁾ 1948 c. 33, amended by 1972 c. 11, Sch. 6, para. 25.

⁽³¹⁾ 1947 c. 41.

⁽³²⁾ 1946 c. 81.

⁽³³⁾ 1947 c. 27.

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- (b) in relation to service in a fire brigade maintained by a local authority and in respect of which awards may be made under the Firemen's Pension Scheme, the fire authority concerned;
- (c) in relation to any other service or employment, the Secretary of State.

Section 3—

Other service or employment

1. This Section shall apply in relation to service or employment in which a person is subject to any superannuation arrangements specified in the second column of the following Table.

2. Subject to paragraph 5 in relation to any such service or employment the specified date for the purposes of Regulation F7 shall be 15th February 1971.

3.—(1) In relation to any such service or employment the transfer value for the purposes of Regulation F7 shall, subject to sub-paragraphs (2) and (3), be one of the like amount, and calculated in the like manner, as the transfer value which would have been receivable under Part III of the Superannuation (Local Government and Approved Employment) Interchange Rules 1969⁽³⁴⁾ had the person concerned entered local government employment, within the meaning of those Rules, on the date on which he became a regular policeman and in circumstances in which the said Part III applied.

(2) For the purposes of sub-paragraph (1)—

- (a) to the extent that the Table in Schedule 1 to the said Rules of 1969 does not contain entries in columns (1) and (2) thereof corresponding to the entries in the following Table, it shall be deemed to do so, and
- (b) subject to paragraph 5, paragraph 6 of Schedule 1 to the said Rules of 1969 shall have effect as if any references therein to 18th August 1968 and to 18th August 1969 were, respectively, references to 15th February 1970 and to 15th February 1971 and sub-paragraphs (1)(a) and (b) and (3) were omitted.

(3) In relation to service in which a person is subject to the Isle of Man Police Pensions Regulations, that is to say, the Regulations for the time being in operation under section 16 of the Police (Isle of Man) Act 1962 (an Act of Tynwald), the transfer value shall be one payable under those Regulations.

4. In relation to any such service or employment the specified authority for the purposes of Regulation F7 shall be the persons having the general control and management of the relevant superannuation arrangements specified in the second column of the following Table.

5. In relation to service or employment in which a person is subject to—

- (a) an Area Gas Board Protected Persons Superannuation Scheme,
- (b) an Area Gas Board Staff Pension Scheme,
- (c) the Gas Council Staff Pension Scheme, or
- (d) the Independent Broadcasting Authority Staff Superannuation Fund and Staff Life Assurance Scheme,

the specified date for the purposes of Regulation F7 shall be 1st April 1973 and paragraph 3(2)(b) shall have effect as if for the dates “15th February 1970” and “15th February 1971” there were substituted, respectively, the dates “1st April 1971” and “1st April 1972”.

(34) S.I. 1969/997.

Table

Employing body	Superannuation arrangements
Agricultural Research Council	Industrial Superannuation Scheme Agricultural Research Council Superannuation Scheme 1951
Area Electricity Board	British Electricity Authority Superannuation (Protected Persons) Scheme Electricity Board Superannuation (Protected Persons) Scheme Electricity Supply (Manual Workers) Superannuation Scheme Electricity Supply (Staff) Superannuation Scheme
British Airports Authority	The British Airports Authority Superannuation Scheme
British Broadcasting Corporation	The B.B.C. New Pension Scheme
British Council	British Council Superannuation Scheme
British European Airways Corporation	The Airways Corporations Joint Pension Scheme for General Staff members
British Gas Corporation or Area Gas Board	Area Gas Board Protected Persons Superannuation Scheme Area Gas Board Staff Pension Scheme
British Gas Corporation or Gas Council	Gas Council Staff Pension Scheme
British Overseas Airways Corporation	The Airways Corporations Joint Pension Scheme for General Staff members
British Waterways Board	Cheshire County Council Superannuation Fund—Divided Grand Union Canal Company Superannuation Fund Nottingham Corporation Superannuation Fund—Divided Scheme embodied in section 23 of and Schedule 4 to the Regent Canal and Dock Company (Grand Junction Canal Purchase) Act 1928 ⁽³⁵⁾ Scheme embodied in the Superannuation Act 1965 ⁽³⁶⁾ (as applied to former staff of the Lee Conservancy Board)

⁽³⁵⁾ 1928 c. xcvi.⁽³⁶⁾ 1965 c. 74.

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Employing body	Superannuation arrangements
Central Electricity Generating Board	British Electricity Authority Superannuation (Protected Persons) Scheme Electricity Board Superannuation (Protected Persons) Scheme Electricity Supply (Manual Workers) Superannuation Scheme Electricity Supply (Staff) Superannuation Scheme
Commonwealth War Graves Commission	The Commonwealth War Graves Commission Superannuation Scheme (1952)
Corporation of Trinity House	Trinity House Service Superannuation Scheme
Crown Agents for Oversea Governments and Administrations	Crown Agents' Pension Scheme
Crown Estate Commissioners	Crown Estate Commissioners Superannuation Scheme
Development Commission	The Development Commission Superannuation Scheme 1940
Electricity Council	British Electricity Authority Superannuation (Protected Persons) Scheme Electricity Board Superannuation (Protected Persons) Scheme Electricity Supply (Manual Workers) Superannuation Scheme Electricity Supply (Staff) Superannuation Scheme
Forestry Commission	The Forestry Commission Superannuation Scheme
General Lighthouse Authority	General Lighthouse Fund Superannuation Scheme
Horserace Betting Levy Board	Horserace Betting Levy Board Pension Schemes A and B
Independent Broadcasting Authority	Independent Broadcasting Authority Staff Superannuation Fund and Staff Life Assurance Scheme
Industrial Training Boards	Industrial Training Boards Pension Fund
Industrial Training Boards	The Isle of Man Police Pensions Regulations
Metropolitan Water Board	Metropolitan Water Board Superannuation and Provident Fund Scheme
National Coal Board	National Coal Board Staff Superannuation Scheme

Employing body	Superannuation arrangements
National Industrial Fuel Efficiency Service	National Industrial Fuel Efficiency Service Superannuation Scheme
National Institute of Agricultural Botany	Industrial Superannuation Scheme
Natural Environment Research Council	Natural Environment Research Council Superannuation Arrangements
North of Scotland Hydro-Electric Board	Hydroboard Superannuation Fund
Port of London Authority	Port of London Authority Pension Fund
Post Office	Post Office Staff Superannuation Scheme
Scottish Agricultural Colleges and Research Institutes	Industrial Superannuation Scheme
Science Research Council	Science Research Council Superannuation Scheme
	The Principal Non-Industrial Superannuation Scheme of the United Kingdom Atomic Energy Authority
	The United Kingdom Atomic Energy Authority's Industrial Superannuation Scheme
South of Scotland Electricity Board	The South of Scotland Electricity Board's Superannuation Scheme
United Kingdom Atomic Energy Authority	The Principal Non-Industrial Superannuation Scheme of the United Kingdom Atomic Energy Authority
	Protected Persons Superannuation Scheme of the United Kingdom Atomic Energy Authority
	The United Kingdom Atomic Energy Authority's Industrial Superannuation Scheme

SCHEDULE G

Regulation G3

Additional and Further Contributions

1. Where, in pursuance of paragraph (2) of Regulation G3 and such an election as is mentioned in paragraph (1) of that Regulation, additional or further pension contributions continue to be payable by a regular policeman, those contributions shall be payable at the rate specified in the second or, as the case may be, in the third column of the following Table opposite to the number of completed years of pensionable service in the first column thereof reckonable by the regular policeman immediately before 1st April 1973 otherwise than by reason of service on or after 1st April 1972 as a member of a police force or of the Royal Ulster Constabulary subject, however, to paragraph 2.

2. For the purposes of paragraph 1, no account shall be taken of any service reckonable as pensionable service by virtue of section 10 of the Police Pensions Act 1921(37).

(37) 1921 c. 31.

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Table

Completed years of pensionable service taken into account	Rate expressed as a percentage of pensionable pay	
	Additional contributions	Further contributions
1	0.1	0.1
2	0.1	0.1
3	0.2	0.2
4	0.3	0.2
5	0.3	0.3
6	0.4	0.3
7	0.5	0.4
8	0.6	0.5
9	0.7	0.6
10	0.9	0.7
11	1.1	0.8

SCHEDULE H

Regulation H2

Medical Appeals

1. Every notice of appeal under Regulation H2(2) shall be in writing.
2. On receipt of the notice of appeal the police authority shall forward to the Secretary of State 2 copies thereof and of the certificate appealed against, with the name and address of the appellant.
3. A medical referee shall appoint a time and place for interviewing the appellant and for any such further interviews or examinations as he may consider necessary and shall give reasonable notice thereof to the appellant and the police authority.
4. At any time before any interview with the medical referee the appellant or the police authority may submit to the medical referee a statement relating to the subject matter of the appeal, and if they so submit a statement they shall send a copy thereof to the other party.
5. Any interview or examination may be attended by—
 - (a) the selected medical practitioner; and
 - (b) any duly qualified medical practitioner appointed for the purpose by either party.
6. The medical referee shall give written notice to the police authority and appellant of his decision and, if that decision is that he disagrees with any part of the certificate of the selected medical practitioner, shall send a copy of his certificate to the police authority and the appellant.
- 7.—(1) The medical referee shall be entitled to such fees and allowances as the Secretary of State may from time to time determine.
 - (2) The said fees and allowances shall be paid by the police authority and shall be treated as part of the police authority’s expenses for the purposes of this Schedule.

8.—(1) Save as hereinafter provided, the expenses of each party to the appeal shall be borne by that party.

(2) Where the medical referee decides in favour of the police authority, the authority may require the appellant to pay towards the cost of the appeal such sum not exceeding the referee's total fees and allowances as the authority think fit.

(3) Where the medical referee decides in favour of the appellant, the police authority shall refund to the appellant any expenses actually and reasonably incurred by the appellant in respect of any such interview or examination as is mentioned in paragraph 3.

SCHEDULE I

Regulations I2 and I3

Servicemen—Increase of Awards

1.—(1) This paragraph shall apply where a pension payable to a serviceman in pursuance of paragraph (2) or (3) of Regulation I2 is increased in pursuance of paragraph (4) of that Regulation.

(2) The increased amount of the pension payable to the serviceman for any period shall not, when aggregated with the amount of any armed forces award which is also payable to or in respect of him for that period, exceed the amount of the award which would have been payable for that period if the injury as a result of which he is permanently disabled had been treated as if it were an injury received without his own default in the execution of his duty as a regular policeman.

(3) The reference in the preceding sub-paragraph to an armed forces award shall not include an allowance for constant attendance, wear and tear of clothing or comforts.

2.—(1) This paragraph shall apply where a pension payable to the widow of a serviceman in pursuance of paragraph (1) or (3) of Regulation I3 is increased in pursuance of paragraph (5) of that Regulation.

(2) The increased amount of the pension payable to the widow for any period shall not, when aggregated with the amount of any armed forces award which is also so payable for that period in respect of her husband, exceed the amount of the pension which would have been payable for that period if the injury as a result of which her husband had died had been treated as if it were an injury received without his own default in the execution of his duty as a regular policeman.

3.—(1) This paragraph shall apply when an allowance payable to the child of a serviceman in pursuance of paragraph (4) of Regulation I3 is increased in pursuance of paragraph (5) of that Regulation.

(2) The increased amount of the allowance payable to the child for any period shall not, when aggregated with the amount of any armed forces award payable to or for the child for that period in respect of the serviceman, exceed the amount of the allowance which would have been payable for that period if the injury as a result of which he had died had been treated as if it were an injury received without his own default in the execution of his duty as a regular policeman.

4.—(1) In this Schedule a reference to an armed forces award is a reference to an armed forces pension or other award payable in pursuance of a Royal Warrant or other instrument.

(2) Where such an armed forces award as mentioned in paragraph 1(2), 2(2) or 3(2) is a gratuity, the amount thereof payable for any period shall, for the purposes of the provision in question, be deemed to be the amount which would have been payable for that period in respect of such an annuity as is hereinafter mentioned if, at the date on which the gratuity became payable, it had been applied in the purchase of such an annuity.

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The annuity referred to in this sub-paragraph is an immediate life annuity, dependent on the life of the serviceman, the widow or, as the case may be, the child concerned, granted under Part I of the Government Annuities Act 1929(38).

SCHEDULE J

Regulation J4

Special Cases—Exceptions and Modifications

Part I

Personal Awards

Policeman's ordinary pension

Policeman serving on 15th February 1971 and retiring in the rank of commander (otherwise than in metropolitan police force)

1. In the case of a member of a home police force who was serving as a regular policeman on 15th February 1971 and first retired on or after that date when a commander in a police force other than the metropolitan police force, in relation to that first retirement Regulation B1(2) shall have effect as if sub-paragraph (b) were omitted therefrom.

Policeman with service before 8th August 1961

2. In the case of a regular policeman who served as such before 8th August 1961, Regulation B1(5) shall have effect as if the words “but, in the case of” to the end were omitted.

Policeman who retired before 25th October 1984

3. In the case of a regular policeman who retired before 25th October 1984, Regulation B1(3) shall have effect as if sub-paragraph(b) thereof were omitted.

Commutation by policeman who retires or retired before 1st October 1987

4.—(1) This paragraph shall apply in the case of a regular policeman who—

- (a) retired with an ordinary pension under the Regulations of 1973, or
- (b) retires with an ordinary pension under these Regulations before 1st October 1987.

(2) Regulation B7(1) shall have effect as if sub-paragraph (b) thereof were omitted in the case of such a regular policeman—

- (a) who retired as mentioned in sub-paragraph (1)(a) of this paragraph and commuted a portion of his pension under the Regulations of 1973, or
- (b) other than a policeman such as is referred to in paragraph (a) of this sub-paragraph who not later than 6 months after his retirement elects that this sub-paragraph should apply in his case;

and any election under paragraph (b) of this sub-paragraph shall be made by notice in writing given to the police authority.

(38) 1929 c. 29.

Policeman's ill-health pension

Policeman who is serving on 1st April 1987 or retired before that date

5. In the case of a regular policeman who either is serving as such on 1st April 1987 or retired before that date, Regulation K1(5) shall have effect as if the words “but he is not a regular policeman to whom Regulation B5 applies” and sub-paragraph (c) were omitted therefrom.

Policeman's injury award

Policeman serving on 1st April 1972 or ceasing to serve before 1st April 1973 who has less than 5 years' pensionable service

- 6.—(1) This paragraph shall apply in the case of a member of a police force who—
- (a) received a relevant injury (within the meaning of Regulation B4) during a period of service which included 1st April 1972 or ended before 1st April 1973, and
 - (b) is entitled to reckon less than 5 years' pensionable service.

(2) In the case of such a member an injury pension shall be calculated and payable either in accordance with Part V of Schedule B (where the next following paragraph also applies, as modified thereby) or in accordance with Regulation 22 of the Police Pensions Regulations 1971(39) as from time to time amended (*supplemental pension*), whichever would have been the more favourable in his case if applied thereto when he first became entitled to the pension.

Policeman ceasing to serve before 1st April 1987

7.—(1) This paragraph shall apply in the case of a member of a police force who received a relevant injury (within the meaning of Regulation B4) during a period of service which ended before 1st April 1987.

- (2) In the case of such a member paragraph 4 of Part V of Schedule B shall have effect as if—
- (a) the sickness benefit referred to in sub-paragraph (3)(c)(i) thereof did not include such benefit to which the member is only entitled by virtue of section 50A of the Social Security Act 1975(40), and
 - (b) sub-paragraph (3)(c)(iii) thereof were omitted.

Policeman's deferred pension

Policeman with service or employment both before, and on or after, 6th April 1978

8.—(1) This paragraph shall apply in the case of a regular policeman who (subject to the provisions hereof) is entitled to a deferred pension under Regulation B5 where—

- (a) the period of pensionable service referred to in paragraph (1)(a) of that Regulation is reckonable by reason of service or employment partly before, and partly on or after, 6th April 1978, or
- (b) the aggregate period of service or employment referred to in paragraph (1)(b) of that Regulation includes service or employment partly before, and partly on or after, that date.

(39) S.I. 1971/232.

(40) 1975 c. 14; s. 50A inserted by 1982 c. 24, s. 39.

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(2) Such a regular policeman may elect that Regulation B5 shall not apply in his case by notice in writing given to the police authority, subject to sub-paragraph (4), within 3 months of his ceasing to be a member of a police force.

(3) Where immediately before his death such a regular policeman enjoyed, but had not exercised, the right of election conferred by sub-paragraph (2), his widow may request that these Regulations should have effect as if he had exercised that right by notice in writing given to the police authority, subject to sub-paragraph (4), within 3 months of his death; and, in such case, the policeman shall be deemed to have exercised that right.

(4) Where the police authority so allow, a notice for the purposes of sub-paragraph (2) or (3) may be given after the expiry of the 3 month period there mentioned if it is given within such longer period as they may allow in the circumstances of the case; and, without prejudice to Regulation 3 of the Police Pensions (Supplementary Provisions) Regulations 1987(41), a notice duly given for the purposes of paragraph (2) or (3) of Regulation 23D of the Regulations of 1973 shall be effective for the purposes of sub-paragraph (2) or (3) of this paragraph.

(5) Where such a regular policeman has, or is deemed to have, exercised the right of election conferred by sub-paragraph(2)—

(a) Regulation B5 shall not apply in his case and, accordingly, he shall not thereunder be entitled to a deferred pension, but

(b) in lieu thereof he (or his estate) shall be entitled to an award under this paragraph.

(6) Subject to sub-paragraph (7), an award under this paragraph shall comprise—

(a) an award by way of repayment of the policeman's aggregate pension contributions in respect of the relevant period of service calculated, however, in accordance with sub-paragraph (8), and

(b) a deferred pension calculated and payable as provided in sub-paragraph (9).

(7) Where a policeman whose contracted-out employment is less than 5 years ceases to serve before he has attained the age of 26 years—

(a) sub-paragraph (8) shall not apply for the purposes of calculating the award by way of repayment of his aggregate contributions, but

(b) he shall not be entitled to a deferred pension in pursuance of sub-paragraph (6)(b).

(8) Save where sub-paragraph (7) applies, for the purposes of calculating the award mentioned in sub-paragraph (6)(a)—

(a) account shall be taken of such contributions or payments as are mentioned in sub-paragraph (a), (b) or (c) of Regulation A10(2) only to the extent that either—

(i) they were made by the policeman before the end of the service appropriate in his case mentioned in sub-paragraph (10), or

(ii) they were made otherwise than as aforesaid but account was taken in their calculation of that service, and sub-paragraph (d) thereof shall have effect accordingly, and

(b) in the circumstances mentioned in sub-paragraph (e) of Regulation A10(2), the award there mentioned shall be that which would have been made if it took into account only contributions or analogous payments—

(i) made by the person concerned before the end of the service appropriate in his case, or

(ii) made otherwise than as aforesaid but specified by the person responsible for the superannuation arrangements applicable to the previous service or employment mentioned in the said sub-paragraph (e) as having been made for the purpose of increasing any benefit which might become payable in respect of so much of that

(41) S.I. 1987/256.

previous service or employment as forms part of the service appropriate in the policeman's case.

(9) A deferred pension in pursuance of sub-paragraph (6)(b) shall be calculated and be payable as mentioned in Regulation B5(4) except that in calculating the pension no account shall be taken of so much of the policeman's pensionable service as is reckonable by reason of the service appropriate in his case mentioned in sub-paragraph (10).

(10) The appropriate service referred to in sub-paragraphs (8) and (9) is—

(a) service or employment before 6th April 1978, in the case of a policeman who either—

(i) ceases to serve before he has attained the age of 26 years, or

(ii) would not be such a regular policeman as is mentioned in Regulation B5(1)(a) or (b) if, for the purposes thereof, there were disregarded any period of pensionable service reckonable by reason of, or any period of, service or employment before the said date;

(b) service or employment before 6th April 1975, in any other case.

(11) Regulations B7 to B11 (*commutation, allocation and deduction of tax*) shall apply in relation to an award in pursuance of sub-paragraph (6)(a) or (b) as though this paragraph were included in Part B of these Regulations.

Pension by way of equivalent pension benefit

Policeman serving on 5th April 1975

9.—(1) This paragraph shall apply in the case of a regular policeman who was serving as such on 5th April 1975 and ceases or has ceased so to serve in circumstances—

(a) in which no transfer value is payable or has been paid in respect of him;

(b) which do not entitle him to a pension otherwise than in pursuance of paragraph 8(6)(b) or of this paragraph, and

(c) in which no payment in lieu of contributions has been made.

(2) This paragraph shall also apply in the case of a regular policeman who was serving as such on 5th April 1975 and ceases or has ceased so to serve in circumstances in which either a transfer value is payable under Regulation F8 by reason of paragraph 1(b) thereof or under Regulation F9 or a transfer value was payable under Regulation 84 or 85 of the Regulations of 1973 if, but only if, he satisfies the police authority that he is not entitled under any superannuation arrangements (including these Regulations) to a pension—

(a) in the calculation of which account would be taken of the service which would be taken into account in calculating a pension under this paragraph, and

(b) which would be at least as favourable in his case as a pension under this paragraph.

(3) Such a regular policeman as is mentioned in sub-paragraph (1) or (2)—

(a) on attaining state pensionable age, and

(b) in the case mentioned in sub-paragraph (2), satisfying the police authority as there mentioned, shall be entitled to a pension which equals the graduated retirement benefit mentioned in Regulation A5(4).

(4) Regulation B8 (*commutation—small pensions*) shall apply in relation to a pension in pursuance of sub-paragraph (3) as though this paragraph were included in Part B of these Regulations.

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Part II

Widows' Awards

Widow's ordinary pension

Widow whose husband retired before 1st April 1987

1.—(1) This paragraph shall apply in the case of the widow of a regular policeman who retired before 1st April 1987.

(2) In the case of such a widow, Regulation C1(1) shall have effect as if the words “except that” to the end were omitted.

Application of paragraphs 3, 4 and 5

2. Paragraphs 3, 4 and 5 shall only apply in the case of a widow whose husband either was serving as a regular policeman or was entitled to a pension other than a deferred pension—

- (a) on 1st April 1973, or
- (b) at the date of his death where that date was before 1st July 1973.

Pre-1972 pensionable service not up-rated

3.—(1) This paragraph shall apply in the case of such a widow as is mentioned in paragraph 2 where—

- (a) her husband last before 1st April 1972 paid pension contributions at a rate related to 5% of his pensionable pay, and
- (b) neither he nor the widow exercised any right of election accorded by Regulation 58(2), 59(2), 60(2) or 61(2) of the Regulations of 1973,

and, in such a case Part I of Schedule C (“Part I”) shall have effect as if for sub-paragraphs (1), (2) and (3) of paragraph 1 thereof there were substituted the like provision as is made by the following sub-paragraph.

(2) Where this paragraph applies the annual amount of the widow’s ordinary pension shall, subject to paragraphs 2 and 3 of Part I, equal a half of the amount specified in paragraph 5(1) of this Part:

Provided that the amount payable in respect of any week on account of the pension shall not be less than it would have been either—

- (a) had the weekly amount thereof fallen to be calculated as provided in Scheme II of Part II of Schedule 3 to the Police Pensions Regulations 1971(42), or
- (b) had the annual amount thereof fallen to be calculated in accordance with Part V of Schedule C in like manner as a widow’s requisite benefit pension.

Pre-1972 pensionable service up-rated to third but not to half rate

4.—(1) This paragraph shall apply in the case of such a widow as is mentioned in paragraph 2 where—

- (a) paragraph 3 does not apply, and
- (b) neither her husband nor the widow exercised any right of election accorded by Regulation 58(3), 59(3), 60(3), or 61(3) of the Regulations of 1973,

(42) [S.I. 1971/232](#).

and, in such a case, Part I of Schedule C (“Part I”) shall have effect as if for sub-paragraph (1) of paragraph 1 thereof there were substituted the like provision as is made by the following sub-paragraph.

(2) Where this paragraph applies, the annual amount of the widow’s ordinary pension shall, subject to paragraphs 2 and 3 of Part I, be the aggregate of—

- (a) an amount equal to a third of the annual amount of the pension or notional pension mentioned in sub-paragraph (2) of paragraph 1 of Part I, and
- (b) a sixth of the amount specified in paragraph 5(1) of this Part,

except that, where the husband died otherwise than while in receipt of an ordinary or short service pension and the said aggregate is less than a half of the amount specified in paragraph 5(2) of this Part, the annual amount of the widow’s ordinary pension shall equal a half of the amount so specified:

Provided that the annual amount of the widow’s ordinary pension shall not be less than it would have been had it fallen to be calculated in accordance with Part V of Schedule C in like manner as a widow’s requisite benefit pension.

Specified amounts for purposes of paragraphs 3 and 4

5.—(1) The references in paragraphs 3(2) and 4(2) to the amount specified in this sub-paragraph are references to the amount which is, subject to sub-paragraph (3) of this paragraph, the difference between the two following amounts, namely—

- (a) an amount which is the aggregate of—
 - (i) an amount equal to a sixtieth of the husband’s average pensionable pay multiplied by the period in years of his pensionable service up to 20 years, and
 - (ii) an amount equal to 2 sixtieths of that pay multiplied by the period in years by which his pensionable service exceeds 20 years;
- (b) an amount calculated as aforesaid but by reference only to the husband’s pre-1972 pensionable service.

(2) The reference in paragraph 4(2) to the amount specified in this sub-paragraph is a reference to the annual amount of the pension or notional pension mentioned in sub-paragraph (2) of paragraph 1 of Part I of Schedule C calculated in accordance with sub-paragraph (3) thereof but, subject to sub-paragraph (3) of this paragraph—

- (a) where the husband’s weighted relevant pensionable service does not exceed 20 years, by reference thereto;
- (b) where that service exceeds 20 years, by reference to his relevant pensionable service with the addition of a half of his pre-1972 pensionable service,

instead of by reference to his pensionable service.

(3) Where the husband’s pensionable service exceeds 30 years there shall be reduced by that excess—

- (a) his pensionable service taken into account for the purposes of sub-paragraph (1)(a);
- (b) his pre-1972 pensionable service taken into account for the purposes of sub-paragraph (1)(b);
- (c) his pre-1972 pensionable service taken into account for the purposes of sub-paragraph (2)(b) (otherwise than for the purpose of determining his relevant pensionable service).

(4) Subject to sub-paragraph (5), in this paragraph—

“pre-1972 pensionable service” means the period of pensionable service in years reckonable by the husband—

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- (a) otherwise than by reason of service as a member of a police force or of the Royal Ulster Constabulary on or after 1st April 1972;
- (b) otherwise than by virtue of—
 - (i) Regulation F3(1)(f) (*British Airports Authority constabulary service*),
 - (ii) Regulation F4, F5 or F7 (*previous service and preserved interchange arrangements*) where the conditions specified in the Regulation in question were satisfied on or after 1st April 1973,
 - (iii) Regulation F6 (*current interchange arrangements*), or
 - (iv) section 10 of the Police Pensions Act 1921(43), and
- (c) other than pensionable service reckonable by him immediately before 1st April 1973, which was reckonable otherwise than as mentioned in sub-paragraph (a) above and did not exceed a year;

“relevant pensionable service” means the period in years of the husband’s pensionable service reduced by his pre-1972 pensionable service;

“weighted relevant pensionable service” means the husband’s relevant pensionable service, so much of such service as exceeds his relevant number of years (if any) being counted twice and, for the purposes hereof, “relevant number of years” means the period in years by which his pre-1972 pensionable service falls short of 20 years.

(5) Where the husband ceased to serve as a regular policeman before 24th January 1975 (without prejudice to the provisions of paragraphs 1, 2 and 3 of Part IV of this Schedule), sub-paragraph (4) shall have effect as if for the definitions therein of “relevant pensionable service” and “weighted relevant pensionable service” there were substituted the following definitions:—

“relevant pensionable service” means the period in years of the husband’s pensionable service reduced by his completed years of pre-1972 pensionable service;

“weighted relevant pensionable service” means the husband’s completed years of relevant pensionable service up to the relevant number of years with the addition of a year for each completed half-year by which his relevant pensionable service exceeds the relevant number of years and, for the purposes hereof, “relevant number of years” means the period in years by which his completed years of pre-1972 pensionable service fall short of 20 years.

Widow’s special gratuity

Widow whose husband died before 25th November 1982

6.—(1) This paragraph shall apply in the case of a widow of a member of a police force who died while serving as such before 25th November 1982.

(2) In the case of such a widow, Regulation C2(2)(b) shall have effect as if the words “together with” to the end were omitted.

Widow’s accrued pension

Application of paragraph 8 and service for the purposes thereof

7.—(1) Paragraph 8 shall apply in the case of the widow of a regular policeman—

- (a) who was not entitled to his deferred pension in pursuance of paragraph 8(6)(b) of Part I of this Schedule, and

(43) 1921 c. 31.

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(b) in relation to whom any of the conditions specified in the first column of either Table B or C are satisfied.

(2) The husband's half-rate and mixed-rate service for the purposes of paragraph 8 shall depend upon the conditions specified in the first column of Table A, B or C which are satisfied in relation to him and shall be the aggregate of the periods of pensionable service specified opposite the conditions which are so satisfied—

(a) in the case of half-rate service, in the second column of the Table in question, and

(b) in the case of mixed-rate service, in the third column thereof,

so, however, that where a period of pensionable service falls within more than one of the entries in Table A it shall not be taken into account more than once.

(3) The following Tables are those referred to in sub-paragraphs (1) and (2):—

Table A:

Service Counting Fully as both Half-Rate and Mixed-Rate Service

Condition	Half-rate service	Mixed-rate service
(a) (a) If the husband has pensionable service reckonable by reason of police service on or after 1st April 1972.	That pensionable service	That pensionable service
(b) (b) If he has pensionable service reckonable by virtue of Regulation F6 (<i>current interchange arrangements</i>).	That pensionable service	That pensionable service
(c) (c) If he has pensionable service reckonable by virtue of section 10 of the Police Pensions Act 1921.	That pensionable service	That pensionable service
(d) (d) If he has pensionable service reckonable by virtue of Regulation I7(1) and the proviso to Regulation I8(1) by reason of a period of relevant service in the armed forces on or after 1st April 1956.	That pensionable service	That pensionable service
(e) (e) If he has pensionable service which, immediately before 1st April 1973, was reckonable by him otherwise than by reason of police service on or	That pensionable service	That pensionable service

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Condition	Half-rate service	Mixed-rate service
after 1st April 1972 and was for a period of less than a complete year.		
(f) (f) If he has pensionable service reckonable by virtue of Regulation F3(1)(f) (<i>British Airports Authority constabulary service</i>) otherwise, where he has been granted a back service credit, than by reason of that credit (subject, however, to subparagraph (5) below).	That pensionable service	That pensionable service
(g) (g) If he has pensionable service reckonable by virtue of Regulation F3(1)(f) by reason that he had been granted a back service credit and he had elected as mentioned in Regulation 61A(2)(a) of the Regulations of 1973 to make a special payment by way of a lump sum (subject, however, to subparagraphs (5) and (6) below).	That pensionable service	That pensionable service

Table B:

Service Counting in Part as both Half-Rate and Mixed-Rate Service

Condition	Half-rate service	Mixed-rate service
(a) (a) If the husband has pensionable service reckonable by virtue of Regulation F3(1)(f) by reason that he had been granted a back service credit and he had elected as mentioned in Regulation 61A(2)(b) of the Regulations of 1973 to pay special contributions (subject, however, to sub-	The proportion specified in subparagraph (7) below of that pensionable service.	The proportion specified in subparagraph (7) below of that pensionable service.

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Condition	Half-rate service	Mixed-rate service
paragraphs (5) and (6) below).		
(b) (b) If he has pensionable service reckonable by virtue of Regulation F3(1)(f) by reason that he had been granted a back service credit and his deferred pension fell to be reduced as mentioned in paragraph 3 of Part VI of this Schedule (subject, however, to subparagraph (5) below).	The proportion specified in subparagraph (8) below of that pensionable service.	The proportion specified in subparagraph (8) below of that pensionable service.

Table C:

Service Counting Fully or in Part either as Half-Rate or as Mixed-Rate Service

Condition	Half-rate service	Mixed-rate service
(a) (a) If the husband has pensionable service reckonable by reason of police service in respect of which he paid pension contributions at a rate related to 6.25% of his pensionable pay.	—	That pensionable service.
(b) (b) If he has pensionable service not mentioned in the first column of Table A which, immediately before 1st April 1973, was reckonable by him and he had elected as mentioned in Regulation 59(3)(a) of the Regulations of 1973 to make a further payment by way of a lump sum.	That pensionable service.	—
(c) (c) If he has such pensionable service as aforesaid and he had elected as mentioned in Regulation 59(2)(a) of the Regulations of 1973	—	That pensionable service.

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Condition	Half-rate service	Mixed-rate service
to make an additional payment by way of a lump sum.		
(d) (d) If he has such pensionable service as aforesaid, he had elected as mentioned in Regulation 58(3) of the Regulations of 1973 and, immediately before he retired, was paying further contributions in pursuance of that election.	The proportion specified in sub-paragraph (9) below of that pensionable service.	—
(e) (e) If he has such pensionable service as aforesaid, he had elected as mentioned in Regulation 57 and 58(2) of the Regulations of 1973 and, immediately before he retired, was paying additional contributions in pursuance of that election.	—	The proportion specified in sub-paragraph (9) below of the period of pensionable service by reference to which the rate of payment of additional contributions was determined (including any fraction of a year disregarded for that purpose).
(f) (f) If he has such pensionable service as aforesaid and his deferred pension fell to be reduced as mentioned in paragraph 3 of Part VIII of Schedule B.	The proportion mentioned in sub-paragraph (8) below of the period of pensionable service by reference to which that reduction was determined (including any fraction of a year disregarded for that purpose).	—
(g) (g) If he has such service as aforesaid and his deferred pension fell to be reduced as mentioned in paragraph 2 of Part VIII of Schedule B.	—	The proportion specified in sub-paragraph (8) below of the period of pensionable service by reference to which that reduction was determined (including any fraction of a year disregarded for that purpose).

(4) In this paragraph (including the Tables)—

- (a) any reference to police service is a reference to service as a member of a police force or of the Royal Ulster Constabulary;
- (b) the expressions “Airports Scheme” and “Scheme deduction” have the same meanings as in Regulation 61A of the Regulations of 1973 and the proviso to paragraph (3) of that Regulation shall have effect for the purposes of sub-paragraph (5) as it has effect for the purposes of the said paragraph (3), and

- (c) any reference to a person having been granted a back service credit is a reference to his having been granted such a credit, within the meaning of the Airports Scheme, before his transfer from the British Airports Authority constabulary.

(5) Where, for the purposes of the Airports Scheme, any payments were made by, or on behalf of, the husband for securing family benefits thereunder in respect of a back service credit, entries (f) and (g) in Table A and the entries in Table B shall have effect as though, by virtue of Regulation F3(1)(f), there were reckonable by him, by reason of the back service credit, only that part of the pensionable service so reckonable which bears the same proportion to the whole as the Scheme deduction in his case bears to what BAA plc certifies it would have been if the payments first mentioned in this sub-paragraph had not been made so, however, that, where the Scheme deduction is zero, entry (f) in Table A shall have effect as though the husband had no back service credit.

(6) Without prejudice to sub-paragraph (5), where the husband satisfies the conditions specified in both entry (g) in Table A and entry (a) in Table B, the references in those entries to his pensionable service reckonable by virtue of Regulation F3(1)(f) by reason of a back service credit shall be construed—

- (a) in the case of entry (g) in Table A, as a reference to that part of that service which bears the same proportion to the whole as the lump sum payment under Regulation 61A of the Regulations of 1973 bears to the Scheme deduction;
- (b) in the case of entry (a) in Table B, as a reference to the other part of that service.

(7) The proportion referred to in entry (a) in Table B shall be the proportion which the period for which the husband paid special contributions under Regulation 61A of the Regulations of 1973 bore to the period from the date of his transfer from the British Airports Authority constabulary until the date mentioned in paragraph (4)(a) or (b) of that Regulation.

(8) The proportion referred to in entry (b) in Table B and in entries (f) and (g) in Table C shall be the proportion which the husband's actual police service—

- (a) on or after his transfer from the British Airports constabulary, in the case of entry (b) in Table B,
- (b) on or after 1st April 1972, in the case entry (f) in Table C, or
- (c) on or after 1st April 1956, in the case of entry (g) in Table C,

bears to the period of such service as he would have had if (irrespective of the date of his death) he had continued to serve until entitled to an immediately payable ordinary pension or until he could be required to retire on account of age, whichever is the earlier, each period being reckoned in completed years and completed months:

Provided that where on ceasing to serve as a regular policeman he had already served as aforesaid, the said proportion shall be the whole.

(9) The proportion referred to in entries (d) and (e) in Table C shall be the proportion which the period for which the husband paid further contributions or, as the case may be, additional contributions, bore to the period by which the pensionable service he was entitled to reckon on the relevant date fell short of 25 years or, where that period is less than 5 years, to a period of 5 years, each period being reckoned in completed years and completed months. In this sub-paragraph “the relevant date” means—

- (a) where the husband last served as a regular policeman before 6th April 1978, the date on which he made the election referred to in the entry in question;
- (b) in any other case, the date from which the further contributions or, as the case may be, additional contributions were payable in pursuance of the election referred to in the entry in question.

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Husband's pensionable service not fully up-rated

8.—(1) In the case of such a widow as is mentioned in paragraph 7(1), Part III of Schedule C shall have effect as if paragraph 1(1) thereof provided that the annual amount of her accrued pension should equal the aggregate of the following amounts namely—

- (a) in respect of her husband's half-rate service, a sixth of the corresponding proportion of his deferred pension;
- (b) in respect of his mixed-rate service, a third of the corresponding proportion of his deferred pension.

(2) For the purposes of sub-paragraph (1) "the corresponding proportion", in relation to the husband's deferred pension, means the proportion which his half-rate or, as the case may be, his mixed-rate service bears to the pensionable service reckonable by him.

(3) Unless the husband ceased to serve as a regular policeman before 1st April 1987 where—

- (a) the husband's half-rate service;
- (b) his mixed-rate service, or
- (c) the pensionable service reckonable by him,

exceeds 30 years, then, for the purposes of this paragraph, the period by which, in each case, it exceeds 30 years shall be disregarded.

Gratuity in lieu of widow's pension

Widow whose husband ceased to serve before 1st April 1987

9.—(1) This paragraph shall apply in the case of a widow of a member of a police force who ceased to serve before 1st April 1987.

(2) In the case of such a widow, Regulation E4 shall have effect as if paragraph (6) thereof were omitted.

Widow's pension in case of post-retirement marriage

Widow whose husband ceased to serve before 1st April 1987

10.—(1) This paragraph shall apply in the case of a widow of a regular policeman who ceased to serve before 1st April 1987.

(2) Where such a widow is entitled to a pension under Regulation C5(3), Regulation E8 shall apply in relation to that pension as if, in paragraph (1) thereof, the words "and, for the purposes" to the end were omitted.

Part III

Children's Awards

Child's ordinary allowance

Child whose parent retired before 1st April 1987

1.—(1) This paragraph shall apply in the case of the child of a regular policeman who retired before 1st April 1987.

(2) In the case of such a child, Regulation D1(1) (*child's ordinary allowance*) shall have effect as if the words “except that” to the end were omitted.

(3) In the case of such a child, paragraph 1 of Part I of Schedule D (*child's ordinary allowance*) shall have effect as if the provisions for the reduction of a pension to be ignored for the purposes of sub-paragraph (4) in pursuance of sub-paragraph (5)(b)(ii) thereof included those of Regulation B7(8)(b) (*commutation*).

Transitional modification of Part I of Schedule D

2.—(1) This paragraph shall apply in the case of a child whose father was serving as a regular policeman or entitled to a pension other than a deferred pension either—

- (a) on 1st April 1973, or
- (b) at the date of his death where that date is before 1st July 1973,

where neither he nor his widow exercised any right of election accorded by Regulation 58, 59, 60 or 61 of the Regulations of 1973.

(2) Where this paragraph applies, Part I of Schedule D shall have effect as if for any reference in paragraph 1 or 2 thereof to the relevant parent's pension or notional pension there were substituted a reference to the amount specified in the following sub-paragraph and as if paragraph 3 were omitted.

(3) The reference in sub-paragraph (2) to the amount specified in this sub-paragraph is, subject to sub-paragraph (4), the difference between the two following amounts, namely—

- (a) an amount which is the aggregate of—
 - (i) an amount equal to a sixtieth of the father's average pensionable pay multiplied by the period in years of his pensionable service up to 20 years,
 - (ii) an amount equal to 2 sixtieths of that pay multiplied by the period in years by which his pensionable service exceeds 20 years;
- (b) an amount calculated as aforesaid but by reference only to the father's pre-1972 pensionable service.

(4) Where the father's pensionable service exceeds 30 years, then there shall be reduced by that excess—

- (a) his pensionable service taken into account for the purposes of sub-paragraph (3)(a);
- (b) his pre-1972 pensionable service taken into account for the purposes of sub-paragraph (3)(b).

(5) In this paragraph “pre-1972 pensionable service” has the meaning assigned thereto by paragraph 5(4) of Part II of this Schedule.

Child whose relevant parent died before 1st April 1973

3.—(1) This paragraph shall apply in the case of the child of a regular policeman who died before 1st April 1973.

(2) Where the relevant parent was the child's only surviving parent or in respect of any period after the death of the child's other parent, the child's ordinary allowance determined—

- (a) in accordance with paragraphs 2 and 4 of Part I of Schedule D, or
- (b) in accordance with paragraph 5 of the said Part I,

may be increased in accordance with Part III of Schedule 4 to the Police Pensions Regulations 1971(44).

(44) S.I. 1971/232.

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Child's accrued allowance

Transitional modification of Part III of Schedule D

4.—(1) This paragraph shall apply in the case of a child where the relevant parent is the father and he both—

- (a) was not entitled to his deferred pension in pursuance of paragraph 8(6)(b) of Part I of this Schedule, and
- (b) was entitled to reckon pensionable service otherwise than—
 - (i) by reason of service as a member of a police force or of the Royal Ulster Constabulary on or after 1st April 1972,
 - (ii) by virtue of Regulation F7 (*preserved interchange arrangements*) where the conditions specified in paragraph (1) thereof are satisfied on or after 1st April 1973,
 - (iii) by virtue of Regulation I7(1) and the proviso to Regulation I8(1) by reason of a period of relevant service in the armed forces on or after 1st April 1956, or
 - (iv) by virtue of section 10 of the Police Pensions Act 1921(45).

(2) Where this paragraph applies, Part III of Schedule D shall have effect as if for any reference in paragraph 2(1) thereof to the relevant parent's deferred pension were a reference to the proportion thereof specified in sub-paragraph (4).

(3) In accordance with sub-paragraph (2), where this paragraph applies, paragraphs 1(2) and (3) and 2(2) and (3) of Part I of Schedule D as applied by Part III thereof shall have effect without regard to paragraph 2 of this Part but as if for any reference therein to the relevant parent's pension or notional pension there were substituted a reference to the proportion specified in the following sub-paragraph of a deferred pension calculated in accordance with paragraph 2(2) of the said Part III.

(4) The reference in sub-paragraphs (2) and (3) to the proportion specified in this sub-paragraph are references to the proportion which the relevant parent's half-rate service (within the meaning of paragraph 7(2) of Part II of this Schedule) bears to the pensionable service reckonable by him.

Limitations on child's award

Child's allowance or special gratuity

5.—(1) This paragraph shall apply in the case of a child who is permanently disabled where the relevant parent (within the meaning of Regulation D5) ceased to be a member of a police force before 15th August 1983.

(2) Where this paragraph applies nothing in Regulation D5 shall preclude the grant of a child's allowance or special gratuity if the child was permanently disabled at the date of the relevant parent's death.

(3) Where this paragraph applies nothing in Regulation D5 shall preclude the payment of a child's allowance if—

- (a) he has not attained the age of 19 years, or
- (b) he has attained the age of 19 years and has been permanently disabled throughout the period after his attaining that age or, where later, after the death of the relevant parent.

(45) 1921 c. 31.

Gratuity in lieu of child's allowance

Child whose relevant parent ceased to serve before 1st April 1987

6.—(1) This paragraph shall apply in the case of the child of a member of a police force who ceased to serve before 1st April 1987.

(2) In the case of such a child, Regulation E5 shall have effect as if paragraph (5) were omitted.

Part IV

Pensionable Service

Policeman who ceased to serve before 24th January 1975

Application of paragraphs 2 and 3 and reckoning of service etc. for purposes of awards

1.—(1) This paragraph and paragraphs 2 and 3 shall apply in the case of a member of a police force who ceased to serve as such before 24th January 1975.

(2) For the purposes of calculating an award payable to or in respect of such a member, Regulation A9 shall have effect subject to paragraphs 2 and 3 (without prejudice, however, in the case of an ordinary pension payable to such a widow as is mentioned in paragraph 2 of Part II of this Schedule, to the provisions of paragraph 5(5) of that Part).

Periods to be computed in completed years

2.—(1) This paragraph shall apply for the purposes mentioned in paragraph 1(2)—

(a) in the case of—

paragraphs 2 and 3 of Part III of Schedule B,
Part IV of Schedule B,
paragraph 1(4) of Part VII of Schedule B,
paragraph 5(3) of Part II of this Schedule, and
paragraph 2(4) of Part III of this Schedule;

(b) without prejudice to paragraph 3(3), in the case of—

Part II of Schedule B,
paragraph 4 of Part III of Schedule B,
paragraph 3 of Part VI of Schedule B,
paragraph 5(1) of Part II of this Schedule, and
paragraph 2(3) of Part III of this Schedule;

(c) without prejudice to paragraph 3(5), in the case of—

paragraph 8 of Part II of this Schedule,
paragraph 3 of Part III of this Schedule.

(2) Save as otherwise provided in paragraph 3(3) or (5), in the case of the provisions listed in sub-paragraph (1), a period shall be computed in completed years and, accordingly, a part of a year shall be ignored.

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Periods to be computed in completed half-years

3.—(1) This paragraph shall, in the case of the provisions hereinafter mentioned, apply for the purposes mentioned in paragraph 1(2).

(2) In the case of paragraph 1 of Part I of Schedule B, the period in years by which a period exceeds 25 years shall be computed in half-years.

(3) In the case of the provisions listed in paragraph 2(1)(b) of this Part, the period in years by which a period exceeds 20 years shall be computed in half-years.

(4) In the case of paragraph 5(2)(b) of Part II of this Schedule, a half of a person's pre-1972 pensionable service shall be computed in half-years.

(5) In the case of the provisions listed in paragraph 2(1)(c) of this Part, in so far as a period exceeds 20 years it shall be computed in half-years.

(6) Where in accordance with any of the preceding sub-paragraphs a period falls to be computed in half-years, it shall be computed in completed half-years and accordingly—

- (a) a part of a year less than half shall be ignored, and
- (b) a period of a year exceeding a half shall be treated as a half.

Policeman with service or employment both before, and on or after, 6th April 1978

Application of Regulation F4 or F5 to policeman who has relinquished deferred pension under paragraph 8 of Part I of this Schedule

4.—(1) This paragraph shall apply in the case of such a regular policeman as is mentioned in sub-paragraph (1) of paragraph 8 of Part I of this Schedule (“the principal paragraph”) who—

- (a) has exercised the right of election conferred by sub-paragraph (2) of that paragraph and has become entitled to such a deferred pension as is mentioned in sub-paragraph (6)(b) thereof, but
- (b) has relinquished his entitlement to that pension by written notice given to the police authority for the purposes of Regulation F4 or F5 (*previous service reckonable on payment or at discretion of police authority*).

(2) In the case of such a policeman, no account shall be taken for the purposes of Regulation F4(3) or F5(3) of any additional or further contributions or of any additional or further payment by way of a lump sum of which account was taken for the purposes of an award under the principal paragraph by way of repayment of his aggregate contributions.

(3) Notwithstanding anything in Regulation F5(2), for the purposes of sub-paragraph (c) thereof where the police authority have exercised their discretion under sub-paragraph (a) thereof so as to allow such a policeman to reckon as pensionable service part only of the period first mentioned therein, “the proportionate part” shall mean that part which bears the same proportion to the whole as the first of the following periods bears to the second such period, namely—

- (a) the period of pensionable service the policeman is so allowed to reckon reduced by that taken into account under the principal paragraph for the purposes of calculating his deferred pension, and
- (b) the period of pensionable service first mentioned in sub-paragraph (a) of Regulation F5(2) so reduced.

Policeman suspended before 15th February 1971

Pensionable service—period of suspension not reckonable

- 5.—(1) This paragraph shall apply in the case of a regular policeman who—
- (a) before 15th February 1971 was suspended under regulations from time to time in operation under section 4 of the Police Act 1919⁽⁴⁶⁾, section 11 of the Police (Scotland) Act 1956⁽⁴⁷⁾; section 33 of the Police Act 1964⁽⁴⁸⁾ or section 26 of the Police (Scotland) Act 1967⁽⁴⁹⁾, and
 - (b) did not return to duty at the end of the period of suspension without having been found guilty of an offence under such regulations.
- (2) Notwithstanding anything in Regulation F1, if the police authority so direct there shall not be reckonable by such a regular policeman the whole or such part of the period of suspension as may be specified in the direction.

Displaced chief constable

Pensionable service—added years in case of chief constable displaced under Police Act 1946 or corresponding Scottish enactments

- 6.—(1) This paragraph shall apply in the case of the chief constable of a force for a police area which was amalgamated with another police area by a scheme under the Police Act 1946⁽⁵⁰⁾ who was deemed to have retired under section 11(3) of that Act.
- (2) The reference in paragraph (1) to the chief constable of a force for a police area which was amalgamated includes a reference to a person who engaged for a tour of overseas service and, immediately before he so engaged, was the chief constable of the force for an area which, while he was so engaged, was amalgamated as mentioned in sub-paragraph (1) and any reference in this paragraph to section 11(3) of the Police Act 1946 includes a reference to that provision as applied by section 14(3)(a) of that Act.
- (3) Notwithstanding anything in Regulation F1—
- (a) if during the period of 3 months referred to in section 11(3) of the said Act of 1946 such a chief constable joined the combined police force he shall be entitled to treat the period during which he was in receipt of a salary thereunder as service in the combined force for the purposes of reckoning pensionable service;
 - (b) if during the said period of 3 months he did not join the combined force, the pensionable service reckonable by him at the expiration of that period shall be the pensionable service which he was entitled to reckon at the date when he was deemed to have retired with the addition of the said period of 3 months and also of the shortest of the following periods, namely—
 - (i) a period of 10 years,
 - (ii) the period between the date on which he was deemed to have retired from his force and the date on which he would, if he had continued to serve therein, have become entitled to reckon 30 years' pensionable service, and

(46) 1919 c. 16.
(47) 1956 c. 26.
(48) 1964 c. 48.
(49) 1967 c. 77.
(50) 1946 c. 46.

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(iii) the period between the date on which he was deemed to have so retired and the date on which he would (if alive) attain the age of 65 years.

(4) In the application of these Regulations to Scotland, references in this paragraph to the Police Act 1946 and to sections 11(3) and 14(3)(a) thereof shall be construed as references to—

- (a) the Police (Scotland) Act 1946(51) and to sections 7(2) and 9(3)(a) thereof, respectively;
- (b) the Police (Scotland) Act 1956 and to sections 22(2) and 23(2) thereof, respectively, or,
- (c) the Police (Scotland) Act 1967 and to sections 23(2) and 24(2) thereof, respectively.

Policeman who became such before 1st April 1987

Calculation of pensionable service reckonable under Regulation F6

7.—(1) This paragraph shall apply in the case of a regular policeman entitled to reckon pensionable service under Regulation F6 by virtue of the receipt by the police authority of a transfer value which was paid or became payable before 1st April 1987.

(2) In relation to such a policeman the reference in paragraph 1(2) of Section 2 of Part II of Schedule F to state retirement pensions shall be construed as a reference to state retirement pensions under section 28 of the Social Security Act 1975(52) section 24 of the Social Security Act 1973(53) or section 30 of the National Insurance Act 1965(54).

Part V

Transfer Values

Policeman who last became such before 6th April 1978

Transfer value payable between police authorities

1.—(1) This paragraph shall apply in the case of a regular policeman who becomes entitled to reckon pensionable service in the circumstances mentioned in paragraph (2) of Regulation F5 by virtue thereof where, before becoming so entitled, he last became a regular policeman before 6th April 1978.

(2) In the case of such a regular policeman Regulation F8(2) shall have effect as if it authorised but did not require the payment of a transfer value by the former police authority to the current police authority.

(3) Where such a regular policeman's former police authority, in pursuance of sub-paragraph (2), do not pay a transfer value but he has relinquished (as mentioned in Regulation F5(3)) a deferred pension with which he ceased to serve in his former force, the former police authority shall pay to the current police authority a sum equal to the award by way of repayment of his aggregate pension contributions in respect of the relevant period of service which would have been payable to him had he ceased to serve in circumstances entitling him to such an award:

Provided that where any sum is repaid to the policeman under Regulation F5(3) the payment to the current police authority shall be reduced by that sum.

(51) 1946 c. 71.

(52) 1975 c. 14.

(53) 1973 c. 38.

(54) 1965 c. 51.

Person who ceased to be a member of a police force before 1st April 1977

transfer value in respect of person who ceased to be a member of a police force before 1st April 1977

2.—(1) This paragraph shall apply in the case of a regular policeman who ceased to serve as a member of a police force before 1st April 1977 and in respect of whom a transfer value is payable.

(2) In the case of such a regular policeman, in calculating a transfer value in accordance with Sections 1 and 3 of Part II of Schedule F, he shall be treated for the purposes of determining the increase in the transfer value under paragraph 11(2) of the said Section 1 as if he had ceased to be a member of his former force on 1st April 1977 but the transfer value shall be further increased by an amount equal to compound interest thereon (disregarding the increase under the said paragraph 11(2)) at the rate of 6% for each complete year in the period beginning with the date he ceased to be a member of his former force and ending with 31st March 1977 (disregarding any fraction of a year).

Transfer value in respect of policeman who ceased to serve before 24th January 1975

3.—(1) This paragraph shall apply in the case of a regular policeman who—

- (a) ceased to serve as a member of his former force before 24th January 1975;
- (b) was entitled to reckon less than a year's pensionable service immediately before he ceased so to serve, and
- (c) in respect of whom a transfer value is payable under Regulation F8 or F9.

(2) In respect of such a regular policeman a transfer value calculated in accordance with Sections 1 and 3 of Part II of Schedule F shall be the appropriate proportion of the transfer value which would have been payable under Regulation F8 or F9 if he had been so entitled to reckon a year's pensionable service, that is to say, the proportion which the pensionable service he was so entitled to reckon bears to a year.

Part VI

Pensionable Pay and Contributions Etc.

Notional pensionable pay

Certain senior officers with service on or after 1st August 1975

1.—(1) This paragraph shall apply in the case of a regular policeman of a rank above that of superintendent who has served as such during a period beginning on or after 1st August 1975 (“the relevant period”).

(2) Notwithstanding anything in these Regulations, an award to or in respect of such a regular policeman shall not be less than it would have been had the pay to which he was entitled as a member of a police force, in respect of the relevant period, fallen to be calculated in accordance with the scale of pay in force immediately before 1st August 1975 for a member of that force holding the rank, or the rank and office, held by him during the relevant period:

Provided that where the award is an ordinary pension which falls to be reduced in accordance with paragraph 6 of Part VIII of Schedule B, the reduction shall be calculated without regard to this paragraph.

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Policeman with service between 31st August 1978 and 1st May 1979

2.—(1) This paragraph shall apply in the case of a member of a police force who has served as such for any period beginning on or after 1st September 1978 and ending before 1st May 1979 (“the relevant period”).

(2) Notwithstanding anything in these Regulations, an award to or in respect of such a regular policeman shall be calculated as if the pay to which he was entitled in respect of the relevant period had been that to which a regular policeman would have been entitled in respect of a corresponding period beginning with 1st May 1979, disregarding any increase in pay which took effect after that date, if his circumstances had been identical to those during the relevant period of the regular policeman concerned.

Transferred member of the British Airports Authority constabulary

Payments by way of special contributions or reduction in pension

3.—(1) This paragraph shall apply in the case of a regular policeman entitled to reckon pensionable service by virtue of Regulation F3(1)(f) (*British Airports Authority constabulary service*) and, in this paragraph, “the Airports Scheme” means the superannuation scheme applicable to him before his transfer from the said constabulary.

(2) Where such a regular policeman elected, in accordance with paragraph (2)(b) of Regulation 61A of the Regulations of 1973, to pay special contributions and his liability thereunder to pay those contributions did not cease before 1st April 1987, he shall continue to pay special contributions until he attains the age of 50 years or sooner retires, and those contributions shall be so payable at the rate, expressed as a percentage of pensionable pay, at which they were payable under the said Regulation 61A before 1st April 1987.

(3) Where immediately before retiring when entitled to an ordinary pension such a regular policeman was paying special contributions under this paragraph or under the said Regulation 61A, paragraph 6 of Part VIII of Schedule B shall have effect in relation to his ordinary pension as if any reference therein to additional or further contributions in pursuance of an election under Regulation 58(2) or (3) of the Regulations of 1973 included a reference to such special contributions.

(4) Where such a regular policeman—

- (a) before his transfer was granted a back service credit within the meaning of the Airports Scheme,
- (b) has been married at any time during his membership of that Scheme or while entitled to reckon pensionable service by virtue of Regulation F3(1)(f) or of Regulation 48(f) of the Regulations of 1973, and
- (c) did not elect, in accordance with Regulation 61A(2)(a) or (b) of the Regulations of 1973, to make a special payment or to pay special contributions,

any ordinary, short service, ill-health or deferred pension (other than a deferred pension in pursuance of paragraph 8(6)(b) of Part I of this Schedule) payable to him shall be reduced by such percentage, determined by the Government Actuary or in accordance with tables prepared by him, that the reduction is the actuarial equivalent of the amount certified by BAA plc to be the actuarial equivalent at the date of his transfer of the contributions requisite under the Airports Scheme for securing family benefits in respect of the back service credit (after taking account of any payments made by him, or on his behalf, for that purpose before that date) subject, however, to sub-paragraph (5).

(5) Where the back service credit exceeded the previous service by reason of which it was given (otherwise than by reason of that service being wholly or partly service in a particular territory overseas), for the purposes of the certificate mentioned in sub-paragraph (4)—

- (a) account shall be taken of that part only of the back service credit which does not exceed the previous service, but
 - (b) any payments made before the date of transfer for the purpose of securing family benefits in respect of the back service credit shall be treated as having been made in respect of that part.
- (6) Except where the context otherwise requires, in the case of such a regular policeman any reference in these Regulations—
- (a) to additional or further contributions shall be construed as including a reference to special contributions under this paragraph or Regulation 61A of the Regulations of 1973;
 - (b) to an additional or further payment by way of a lump sum shall be construed as including a reference to a special payment by way of a lump sum under the said Regulation 61A;
 - (c) to the reduction of a pension in accordance with Part VIII of Schedule B shall be construed as including a reference to such a reduction in accordance with the said Part VIII as it has effect in pursuance of sub-paragraph (3).

Part VII

General and Additional Provisions

Construction of references

Certain civilian employees treated as members of the City of London police force

1. These Regulations shall apply in the case of a person who on 5th July 1948 was a clerk or other person employed in, or in connection with, the City of London police force as if he were a member of that force.

Police authority for Northern Ireland before 15th February 1971

2. In these Regulations any reference to the Police Authority for Northern Ireland includes, in relation to a period before 15th February 1971, a reference to the Ministry of Home Affairs for Northern Ireland.

References to the police authority and to the Secretary of State in relation to overseas policemen in relation to period 1st April 1968 to 12th November 1970

3. As respects anything done on or after 1st April 1968 but before 12th November 1970 in relation to an overseas policeman—

- (a) any reference in these Regulations to the police authority, and
- (b) any reference in Regulation A6 or B2(1)(b) to the Secretary of State, shall be construed as including a reference to the Minister of Overseas Development.

References to Social Security Act 1975 in relation to time before its coming into force

4.—(1) This paragraph shall apply in the case of—

- (a) a member of a police force who ceased to serve as such before the coming into force of the provisions of the Social Security Act 1975 referred to in paragraph 4 of Part V of Schedule B (*policeman's injury award*), or

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(b) a widow whose husband died before the coming into force of the provisions of that Act referred to in paragraph 2 of Part II of Schedule C (*widow's special pension*).

(2) In the case of any such member of a police force or any such widow, any reference in paragraph 4 of Part V of Schedule B or, as the case may be, paragraph 2 of Part II of Schedule C to a provision of the said Act of 1975 shall, in relation to a time before the coming into force thereof, be construed as including a reference to the corresponding enactment then in force and, accordingly, any such reference to a provision of the said Act of 1975 specified in the first column of the following Table shall be so construed as including a reference to the enactment specified opposite thereto in the second column of that Table.

Table

Provision of Social Security Act 1975	Corresponding earlier enactment
Section 14	Section 19 of the National Insurance Act 1965 ⁽⁵⁵⁾ or section 10 of the Social Security Act 1973 ⁽⁵⁶⁾
Section 15	Section 3 of the National Insurance Act 1971 ⁽⁵⁷⁾ or section 11 of the Social Security Act 1973
Section 26	Section 28 of the National Insurance Act 1965 or section 21 of the Social Security Act 1973
Section 57	Section 12 of the National Insurance (Industrial Injuries) Act 1965 ⁽⁵⁸⁾
Section 58	Section 13 of the said Act of 1965
Section 59	Section 13A of the said Act of 1965
Section 60	Section 14 of the said Act of 1965
Section 62	Section 16 of the said Act of 1965
Section 64	Section 17 of the said Act of 1965
Section 66	Section 18 of the said Act of 1965
Section 67	Section 19 of the said Act of 1965
Part I of Schedule 4	Part I of Schedule 3 to the National Insurance Act 1965 or Part I of Schedule 4 to the Social Security Act 1973

Displaced chief constable

Chief constable affected by an amalgamation scheme under the Police Act 1946 or corresponding Scottish enactments

5.—(1) This paragraph shall apply in the case of a chief constable of an area that has been amalgamated with another area by a scheme made under the Police Act 1946⁽⁵⁹⁾.

(2) Where such a chief constable—

⁽⁵⁵⁾ 1965 c. 51.

⁽⁵⁶⁾ 1973 c. 38.

⁽⁵⁷⁾ 1971 c. 50.

⁽⁵⁸⁾ 1965 c. 52; s. 13A inserted by 1971 c. 50, s. 9.

⁽⁵⁹⁾ 1946 c. 46.

(a) was transferred to the combined police force in pursuance of an agreement made by him before the date of the transfer, or

(b) joined that force within the period of 3 months beginning with the date of transfer,

in any capacity other than that of chief constable or assistant chief constable, then, subject to any agreement to the contrary made between him and the police authority for the combined area, he shall be treated for the purposes of Regulations A18 and B1 as if, while serving in that force, he were a chief constable.

(3) Where such a chief constable—

- (a) was not transferred to the combined police force by the scheme, and
- (b) did not join that force during the period of 3 months referred to in section 11(3) of the said Act of 1946 or, as the case may be, that provision as applied by section 14(3)(a) of that Act,

these Regulations shall apply as though he had retired at the end of that period from the force of which he was a chief constable and, for the purposes of Regulations B2(1) and B7(4)(b), as though the circumstances of the retirement were mentioned in Regulation B2(1)(a).

(4) In the application of these Regulations to Scotland—

- (a) references in this paragraph to the Police Act 1946 and to sections 11(3) and 14(3)(a) thereof shall be construed as references to—
 - (i) the Police (Scotland) Act 1946(60) and to sections 7(2) and 9(3)(a) thereof, respectively,
 - (ii) the Police (Scotland) Act 1956(61) and to sections 22(2) and 23(2) thereof, respectively, or
 - (iii) the Police (Scotland) Act 1967(62) and to sections 23(2) and 24(2) thereof, respectively,

the reference in sub-paragraph (2) to the police authority for the combined area shall be construed as a reference to the joint police committee for that area and references in this paragraph to things done in the past shall include references to things done in the future;

- (b) in relation to such a chief constable as is mentioned in sub-paragraph (3) and without prejudice thereto, Regulation B1 shall have effect as if—
 - (i) paragraph (2) thereof were omitted, and
 - (ii) the limitation imposed by paragraph (5) thereof on the making of payments in respect of a pension before a person has attained the age of 50 years did not apply, and
- (c) for the purposes of calculating a pension payable by virtue hereof in the circumstances mentioned in sub-paragraph (3) to the chief constable of an area which has been amalgamated with another area by a scheme made under the Police (Scotland) Act 1967, his average pensionable pay shall include—
 - (i) where he was immediately before the date on which the area was amalgamated in receipt of a rent allowance the annual rate of that rent allowance,
 - (ii) where he was immediately before the said date provided with a house or quarters free of rent and rates, the annual worth of the house or quarters as determined in their discretion by the police authority of the force of which he was chief constable,

but, in respect of any period beyond state pensionable age the unsecured portion of such a pension shall be reduced to such amount that the pension is payable at the rate at which

(60) 1946 c. 71.
(61) 1956 c. 26.
(62) 1967 c. 77.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

it would have been payable had the chief constable's average pensionable pay not been so increased.

Chief constable affected by local government re-organisation or an amalgamation scheme under the Police Act 1964

6.—(1) This paragraph shall apply in the case of a chief constable of a police force who becomes or has become a member of another force (“the successor force”) by virtue of an order mentioned in sub-paragraph (4) and section 58(1) of the Police Act 1964⁽⁶³⁾.

(2) In relation to such a member of a police force who suffers loss of office as such which is attributable to the provisions of an order mentioned in sub-paragraph (4)—

- (a) these Regulations shall apply as though he had retired from the successor force, having given to the police authority 3 months' written notice of his intention to retire;
- (b) where he becomes a member of another police force on or before the end of his resettlement period, Regulation F2 shall apply as though he had become a member of that other force immediately after ceasing to be a member of the successor force, and
- (c) where he was serving as a chief constable on 1st July 1964, Regulation B1 shall apply as though paragraph (2)(b) thereof were omitted and, for the purposes of Regulation B2(1) and B7(4)(b), he shall be treated as though he had retired in the circumstances mentioned in Regulation B2(1)(a).

(3) In relation to such a member of a police force as is mentioned in sub-paragraph (1) who suffers reduction in rank attributable to the provisions of an order mentioned in sub-paragraph (4), Regulation A18 shall apply as though he had not suffered such reduction in rank, unless he elects otherwise in writing to the police authority.

(4) Any reference in this paragraph to an order mentioned in this sub-paragraph is a reference to an order under Part I of the Police Act 1964 or Part II of the Local Government Act 1958⁽⁶⁴⁾; and the reference in sub-paragraph (2)(b) to a person's resettlement period is a reference to the period of 13 weeks next succeeding the week in which he ceased to be a member of the successor force or, in the case of a person who has attained the age of 45 years, the said 13 weeks extended by an additional week for every year of his age after attaining the age of 45 years and before he ceased to be a member of that force, subject to a maximum extension of 13 such weeks.

Miscellaneous

Member of an overseas corps with previous service outside Great Britain

7. Notwithstanding anything in these Regulations, where the Secretary of State is satisfied that a member of an overseas corps before becoming such had been engaged in the performance of police duties in any country or territory outside Great Britain, and that under legislation in force in that country or territory grants were, at the time he became such a member, payable to or in respect of persons similarly engaged on their retirement or, as the case may be, death, the Secretary of State may in accordance with any agreement made with that person in consideration of his becoming a member of an overseas corps, pay awards, in addition to any award payable under these Regulations, to or in respect of that person, on such conditions and of such a nature and amount as will ensure that the awards and any grants under the said legislation taken together are on the whole not less favourable to the person concerned than they would have been if the said police duties had been performed as a regular member of a home police force and the member of the overseas corps had been a reversionary member of a home police force.

⁽⁶³⁾ 1964 c. 48.

⁽⁶⁴⁾ 1958 c. 55.

Former lieutenant in Scottish police force

8. Where a member of a Scottish police force immediately before 5th July 1948 held the rank of lieutenant and on ceasing to be a member of a police force held the rank of chief inspector, his widow and any child of his shall be entitled to receive the like awards as if, on ceasing to be a member of a police force, he had held the rank of superintendent.

Lincolnshire

9. Notwithstanding anything in these Regulations, the police forces maintained before 1st April 1967 for the three divisions of Lincolnshire shall be treated for the purposes of these Regulations as having been one force and Regulation A15 shall have effect accordingly.

River Tyne police force

10. In relation to a person who served as a member of the River Tyne police force (which was dissolved on 1st July 1968 by the Port of Tyne Reorganisation Scheme 1967(65)), the police force for the Durham police area shall for the purposes of these Regulations, be deemed to be the same force as the River Tyne police force.