

2008 No. 1887

POLICE, ENGLAND AND WALES

PENSIONS, ENGLAND AND WALES

The Police Pensions (Amendment) Regulations 2008

<i>Made</i> - - - -	<i>15th July 2008</i>
<i>Laid before Parliament</i>	<i>17th July 2008</i>
<i>Coming into force</i> - -	<i>8th August 2008</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 1 of the Police Pensions Act 1976(a).

In accordance with section 1(1) of that Act, the Treasury(b) have consented to the making of these Regulations and the Secretary of State has consulted with the Police Negotiating Board for the United Kingdom(c).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police Pensions (Amendment) Regulations 2008.

(2) These Regulations come into force on 8th August 2008 and, subject to paragraph (3), have effect from 1st April 2006(d).

(3) (a) Regulations 28 to 42 have effect from 6th April 2006.

(b) Regulation 8 has effect from 1st April 2006 to 30th September 2006.

(c) Regulations 4, 5(2) (in so far as it inserts paragraph (5C) into regulation A6 of the 1987 Regulations), 9, 11(2) to (4) and (6), 12 to 14, 16, 18(3), 19 and 21 to 27 have effect from 1st October 2006.

(d) Regulations 46 and 47 have effect from 1st April 2008.

(4) These Regulations extend to England and Wales.

(a) 1976 c.35. Relevant extensions to the powers conferred by section 1 are in sections 2, 4, 6 and 7 of the Police Pensions Act 1976. Section 1 was amended by section 2(3) of the Police Negotiating Board Act 1980 (c. 10), paragraph 28 of Schedule 7 to the Police Act 1996 (c. 16) and section 1(1) of the Police and Firemen's Pensions Act 1997 (c. 52); section 7 was amended by paragraph 19 of Part II of Schedule 5 to the Police and Magistrates' Courts Act 1994 (c. 29), paragraph 29 of Schedule 7 to the Police Act 1996, section 1(2) of the Police and Firemen's Pensions Act 1997, section 78(2)(f) of the Police (Northern Ireland) Act 2000 (c. 32), section 126(1) of and paragraph 6(1) and (2) of Schedule 4 to the Criminal Justice and Police Act 2001 (c.16), paragraph 6(1) of Schedule 3 to the International Development Act 2002 (c.1), paragraph 30 of Schedule 4 to the Serious Organised Crime and Police Act 2005 (c. 15), paragraph 58 of Part 7 of Schedule 1 and Part 1(A) of Schedule 15 to the Police and Justice Act 2006 (c. 48), paragraph 11(2) of Part 2 of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006 (c. 47) and paragraph 2(2) of Part 1 of the Schedule to S.I. 2007/1098.

(b) Formerly the Minister for the Civil Service: see S.I. 1981/1670.

(c) Section 61 of the Police Act 1996 provides for the continued existence of the Police Negotiating Board for the United Kingdom.

(d) Retrospective effect is permitted by section 1(5) of the Police Pensions Act 1976.

Interpretation

2. In these Regulations—

the “1987 Regulations” means the Police Pensions Regulations 1987(a);

the “2006 Regulations” means the Police Pensions Regulations 2006(b);

the “2007 Regulations” means the Police Pension Fund Regulations 2007(c);

the “Increased Benefits Regulations” means the Police Pensions (Purchase of Increased Benefits) Regulations 1987(d); and

the “Injury Benefit Regulations” means the Police (Injury Benefit) Regulations 2006(e).

The Police Pensions Regulations 1987

3. The 1987 Regulations are amended in accordance with the provisions of regulations 4 to 23.

4.—(1) In regulation A4 (meaning of certain expressions and references – general provisions), after paragraph (2) insert—

“(3) In these Regulations, a reference to a regular policeman’s relevant voluntary retirement age shall be construed in accordance with paragraphs (4) to (6).

(4) In relation to a regular policeman who is not a member of the metropolitan police force or an overseas policeman, that reference shall be construed as a reference to—

(a) where he is a superintendent or inspector, the age of 60 years;

(b) where he is a sergeant or constable, the age of 55 years.

(5) In relation to a regular policeman who is a member of the metropolitan police force that reference shall be construed as a reference to—

(a) where he is the commissioner, deputy commissioner or an assistant commissioner, the age of 60 years;

(b) where he is a deputy assistant commissioner or commander, the age of 57 years;

(c) where he holds any lower rank, the age of 55 years.

(6) In relation to a regular policeman who does not come within paragraphs (4) or (5), that reference shall be construed such that he does not have a relevant voluntary retirement age.”.

5.—(1) Regulation A6 (meaning of certain expressions in relation to persons who are not members of a home police force) is amended as follows.

(2) After paragraph (5), insert the following paragraphs—

“(5A) For the purposes of these Regulations, a specified employee of SOCA shall be deemed to be a member of a home police force, except where the context otherwise requires.

(5B) In relation to a specified employee of SOCA—

(a) a reference in these Regulations to a force shall be construed as a reference to SOCA;

(b) a reference in these Regulations to a police authority shall be construed as a reference to SOCA.

(5C) For the purposes of regulation A4(3) to (6)—

(a) S.I. 1987/257.

(b) S.I. 2006/3415.

(c) S.I. 2007/1932.

(d) S.I. 1987/2215.

(e) S.I. 2006/932.

- (a) a specified employee of SOCA shall be deemed to hold the rank of a member of a home police force (other than the metropolitan police force) equivalent to his SOCA grade as set out in the following table—

<i>SOCA grade</i>	<i>Equivalent rank</i>
5	Constable
4	Sergeant
3	Inspector (but not chief inspector)
2	Superintendent (but not chief superintendent)
1	Chief superintendent

- (b) a specified employee of SOCA with a SOCA grade which is higher than 1 shall be deemed to hold the rank of assistant chief constable.”.

6.—(1) Regulation A16 (transfers) is amended as follows.

(2) In paragraph (d), omit “or”.

(3) At the end of paragraph (e) insert—

“or

- (f) being a specified employee of SOCA, leaving SOCA for the purpose of joining a home police force as a regular policeman and joining that force in that capacity, where he leaves SOCA after giving notice of such period as required by his contract of employment of his intention to do so to SOCA or after giving such shorter period of notice as may be agreed between the specified employee of SOCA and SOCA.”.

7.—(1) Regulation A17 (retirement) is amended as follows.

(2) After paragraph (1)(a) insert the following paragraph—

“(aa) to the contract under which a specified employee of SOCA is employed by SOCA being terminated;”.

(3) After paragraph (1)(e) insert the following paragraph—

“(f) on joining the National Criminal Intelligence Service or the National Crime Squad and subsequently becoming a specified employee of SOCA,”.

8.—(1) Regulation A18 (compulsory retirement on account of age) is amended as follows.

(2) In paragraph (1), for the words “paragraph (2)” substitute “paragraphs (2) and (4)”.

(3) After paragraph (3) insert the following paragraph—

“(4) This regulation shall not apply to a specified employee of SOCA.”.

9.—(1) For regulation A18 (compulsory retirement on account of age) substitute—

“**A18.**—(1) Subject to the following provisions of this regulation, every regular policeman shall be required to retire—

- (a) if he is of the rank of constable, sergeant or inspector, on attaining the age of 60 years,
 (b) if he holds any higher rank, on attaining the age of 65 years.

(2) The time at which, under paragraph (1), a person shall be required to retire may be postponed, if the person concerned holds a rank above that of superintendent, by the police authority, and, if he holds the rank of superintendent or any lower rank, by the chief officer of police.

(3) Paragraph (1) has effect subject to paragraphs 5(2) and 6(3) of Part VII of Schedule J.

(4) This regulation shall not apply to a specified employee of SOCA.”.

10.—(1) Regulation A19 (compulsory retirement on grounds of efficiency of the force) is amended as follows.

(2) In paragraph (1), for the words “or assistant chief constable” substitute “, assistant chief constable or specified employee of SOCA”.

11.—(1) Regulation B1 (policeman’s ordinary pension) is amended as follows.

(2) For paragraph (2), substitute—

“(2) Except in the circumstances mentioned in paragraph (3), this Regulation shall not apply to a regular policeman where—

- (a) he is of the rank of superintendent or below, and he retires or retired without having given to the police authority a month’s written notice of his intention to retire or such shorter notice as may have been accepted by the police authority; or
- (b) he is of a rank above superintendent, and he retires or retired without having given to the police authority three months’ written notice of his intention to retire or such shorter notice as may have been accepted by the police authority.”

(3) For paragraph 3(b), substitute the following sub-paragraph—

“(b) being a regular policeman who has been appointed for a fixed term under regulation 11 of the Police Regulations 2003, he retires or retired at the end of that appointment, or if such a term has been extended, at the expiry of the extension.”

(4) Paragraph (3)(ba) is omitted.

(5) After paragraph (3)(c) insert the following sub-paragraphs—

- “(ca) being a specified employee of SOCA, he retires or retired having given to SOCA notice of such period as required by his contract of employment of his intention to retire or after giving such shorter period of notice as may be agreed between the specified employee of SOCA and SOCA, or
- (cb) being a specified employee of SOCA, his contract of employment is or was terminated, or”.

(6) In paragraph (6)(b), for “paragraph (2)(a) or (3)(b)” substitute “paragraph (2) or (3)(ca)”.

12.—(1) Regulation B2 (policeman’s short service award) is amended as follows.

(2) After paragraph 1(a), insert—

“(ab) retires or retired voluntarily in accordance with regulation B2A;”.

13. The following regulation is inserted after regulation B2 (policeman’s short service award)—

“Short service award on voluntary retirement

B2A.—(1) This regulation applies to a regular policeman on or after attaining his relevant voluntary retirement age (if he has one).

(2) A regular policeman to whom this regulation applies may retire voluntarily subject to giving notice in accordance with paragraph (3), (4) or (5) as the case may be.

(3) A regular policeman of the rank of superintendent or below who wishes to retire voluntarily must give to the police authority a month’s written notice of his intention to retire or such shorter notice as may be accepted by the police authority.

(4) A regular policeman above the rank of superintendent who wishes to retire voluntarily must give to the police authority three months’ written notice of his intention to retire or such shorter notice as may be accepted by the police authority.

(5) A specified employee of SOCA who wishes to retire voluntarily must give to SOCA notice of such period as required by his contract of employment of his intention to retire or such shorter period of notice as may be agreed between the specified employee of SOCA and SOCA.”.

14.—(1) Regulation B7(4)(b) (commutation-general provision) is amended as follows.

(2) Omit “(a) or”.

(3) After “Regulation B2(1)” insert “or having attained his relevant voluntary retirement age or, where he does not have a relevant voluntary retirement age, having attained the age of 65”.

15.—(1) Regulation E8 (increase of widow’s pension or child’s allowance during first 13 weeks) is amended as follows.

(2) In paragraph (2A)(b), at the end insert “or, in the case of a specified employee of SOCA, the equivalent allowances to which he was entitled under his contract of employment”.

16. In regulation E10(3)(b) (determination of amount of widow’s or child’s flat rate award and increase thereof by reference to the Pensions (Increase) Act 1971) for the words “he could have been required to retire on account of age” substitute “he attained his relevant voluntary retirement age or, where he would not have a relevant voluntary retirement age, until the age of 65”.

17.—(1) Regulation G1 (pensionable and average pensionable pay) is amended as follows.

(2) In paragraph (1), at the end insert “and during any period in which a member of a police force is a specified employee of SOCA, it means the pay at the rate to which he is or was then entitled under his contract of employment, account being taken of any retrospective increase in that rate”.

18.—(1) Regulation K1 (cancellation of ill-health and injury pensions) is amended as follows.

(2) In paragraph (1)(b) omit “and”.

(3) For paragraph (1)(c), substitute—

“(c) would not have attained his relevant voluntary retirement age if he had continued so to serve or, where he would not have a relevant voluntary retirement age, has not attained the age of 65.”.

(4) In paragraph (1)(c) at the end insert—

“and

(d) he was not, immediately before he retired with the ill-health pension, a specified employee of SOCA.”.

19. For paragraph (a) of the proviso to Regulation K3 (reduction of pension in case of default) substitute—

“(a) this Regulation shall not apply where the person concerned—

(i) has been a regular policeman;

(ii) is in receipt of an ill-health pension; and

(iii) either—

(aa) if he had continued to serve instead of retiring with that pension would have been entitled to reckon 25 years’ pensionable service; or

(bb) would have reached his relevant voluntary retirement age if he had continued so to serve or, where he would not have a relevant voluntary retirement age, has attained the age of 65; and”

20.—(1) Schedule A (glossary of expressions) is amended as follows.

(2) In the definition of “central service”—

(a) after the words “section 97(1)(b) to (cc)” insert “and (cf)”; and

(b) for “1966” substitute “1996”.

(3) In the definition of “maternity leave” at the end insert “except that in relation to a specified employee of SOCA it means any period of maternity leave taken by that employee whilst employed by SOCA”.

(4) In the inclusive definition of “member of a police force”—

(a) omit the word “and”; and

(b) after “a central police officer;” insert—

“and

(f) a specified employee of SOCA;”.

(5) In the definition of “part-time service” at the end insert “or any other part-time service as a regular policeman or part-time employment as a specified employee of SOCA”.

(6) In the definition of “parental leave” at the end insert “except that in relation to a specified employee of SOCA it means any period of parental leave taken by that employee whilst employed by SOCA”.

(7) In the definition of “regular policeman”—

(a) omit the word “and”; and

(b) after “a central police officer;” insert—

“and

(e) a specified employee of SOCA;”.

(8) In the definition of “sick leave” at the end insert “except that in relation to a specified employee of SOCA it means any period of sick leave taken by that employee whilst employed by SOCA”.

(9) After the definition of “sick leave” insert—

““specified employee of SOCA” means—

(a) an employee of SOCA who immediately before he last became an employee of SOCA was serving as the Director General of the National Crime Squad;

(b) an employee of SOCA who immediately before he last became an employee of SOCA was serving as a police member of the National Criminal Intelligence Service appointed under subsection (1)(b) of section 9 of the Police Act 1997 by virtue of subsection (2)(a) of that section;

(c) an employee of SOCA who immediately before he last became an employee of SOCA was serving as a police member of the National Crime Squad appointed under subsection (1)(b) of section 55 of the Police Act 1997 by virtue of subsection (2)(a) of that section;””.

21.—(1) Part III of Schedule B (policeman’s ill-health pension) is amended as follows.

(2) In paragraph 5(1), for “he could be required to retire on account of age” substitute “he attained his relevant voluntary retirement age or, where he would not have a relevant voluntary retirement age, until the age of 65”.

(3) In paragraph 5(2), for “he could be required to retire on account of age” substitute “he attained his relevant voluntary retirement age or, where he would not have a relevant voluntary retirement age, until the age of 65”.

22.—(1) Part VI of Schedule B (policeman’s deferred pension) is amended as follows.

(2) In paragraph 1(b), for “or until he could be required” to the end, substitute “; until he attained his relevant voluntary retirement age (if he would have one) or the age of 65, whichever is the earliest (here referred to as “hypothetical service”) and”.

23.—(1) Part I of Schedule F (pensionable service and transfer values) is amended as follows.

(2) In paragraph 1(1), for “becomes liable to be required to retire on account of age” substitute “attains his relevant voluntary retirement age or, where he does not have a relevant voluntary retirement age, the age of 65”.

The Police Pensions (Purchase of Increased Benefits) Regulations 1987

24. The Increased Benefits Regulations are amended in accordance with the provisions of regulations 25 to 27.

25.—(1) Regulation 2 (interpretation) is amended as follows.

(2) In paragraph 1(b), for the definition of “retirement date” substitute—

““retirement date”—

- (a) in relation to the period from 1st February 1988 to 30th September 2006 and at any particular time during that period, means, in relation to a regular policeman, the date on which he could be required to retire on account of age if he continued to serve as such without change of rank or transfer from one force to another, disregarding any postponement of that date under regulation A18(2) of the principal Regulations effected after that time; and
- (b) from 1st October 2006, and at any particular time on or after 1st October 2006, means, in relation to a regular policeman—
 - (i) the date on which he would attain his relevant voluntary retirement age under the principal Regulations (if he has one) if he continued to serve as such without change of rank or transfer from one force to another; or
 - (ii) where he does not have a relevant voluntary retirement age, the date on which he attains the age of 65 years;”.

26.—(1) Regulation 3 (election to purchase increase benefits) is amended as follows.

(2) For paragraph 3 substitute—

“(3) When the retirement date of a policeman who has exercised the right of election accorded by paragraph (1) becomes later than it was at the time of his election then, notwithstanding that he may derive no benefit from his election, his liability to make payment in accordance with the following provisions of these Regulations shall not be affected and he shall not be entitled to the repayment of any lump sum or contribution so paid.”.

27.—(1) Part I of the Schedule (payments) is amended as follows.

(2) Paragraph 3(2)(a) is omitted.

(3) In paragraph 3(2)(b), the words “(not being a person specified in paragraph (a))” are omitted.

(4) In paragraph 4—

- (a) for “the member” in each place substitute “the regular policeman”;
- (b) for “the member’s” in each place substitute “the regular policeman’s”; and
- (c) in sub-paragraph (2), for “Class A member” substitute “regular policeman”.

The Police (Injury Benefit) Regulations 2006

28. The Injury Benefit Regulations are amended in accordance with the provisions of regulations 29 to 31.

29.—(1) Regulation 3 (meaning of certain expressions in relation to persons who are not members of a home police force) is amended as follows.

(2) After paragraph (2) insert—

“(3) For the purposes of these Regulations a specified employee of SOCA shall be deemed to be a member of a home police force, except where the context otherwise requires.

(4) In relation to a specified employee of SOCA—

- (a) a reference in these Regulations to a force shall be construed as a reference to SOCA;
- (b) a reference in these Regulations to a police authority shall be construed as a reference to SOCA.”.

30.—(1) Regulation 6 (injury received in the execution of duty) is amended as follows.

(2) In paragraph (2), at the end of sub-paragraph (c) insert—

“or

(d) being a specified employee of SOCA, he received the injury while exercising any of his powers outside the scope of his employment.”.

(3) In paragraph (3), after the words “an officer” (in both places) insert the words “or employee”.

(4) After paragraph (3) insert—

“(3A) In the case of a person who is a specified employee of SOCA, paragraphs (1) and (2) shall have effect as if references to duty, being on duty and the execution of duty were references to acting within the scope of his employment.

(3B) In paragraph (2)(d), “powers” means any of the powers or privileges that the specified employee of SOCA has having been designated under section 43 of the Serious Organised Crime and Police Act 2005 as a person having the powers of a constable.”.

31.—(1) Schedule 1 (glossary of expressions) is amended as follows.

(2) In the inclusive definition of “member of a police force”—

(a) in paragraph (b) omit the word “and”;

(b) at the end of paragraph (c) insert—

“and

(d) a specified employee of SOCA;”.

(3) In the definition of “regular police officer” or “regular policeman”—

(a) in paragraph (b) omit the word “and”;

(b) at the end of paragraph (c) insert—

“and

(d) a specified employee of SOCA;”.

(4) After the definition of “the Scheme actuary” insert—

““specified employee of SOCA” means—

(a) an employee of SOCA who immediately before he last became an employee of SOCA was serving as the Director General of the National Crime Squad;

(b) an employee of SOCA who immediately before he last became an employee of SOCA was serving as a police member of the National Criminal Intelligence Service appointed under subsection (1)(b) of section 9 of the Police Act 1997 by virtue of subsection (2)(a) of that section;

(c) an employee of SOCA who immediately before he last became an employee of SOCA was serving as a police member of the National Crime Squad appointed under subsection (1)(b) of section 55 of the Police Act 1997 by virtue of subsection (2)(a) of that section;””.

The Police Pensions Regulations 2006

32. The 2006 Regulations are amended in accordance with the provisions of regulations 33 to 42.

33.—(1) Regulation 3 (meaning of certain expressions in relation to persons who are not members of a home police force) is amended as follows.

(2) In paragraph (1), after “inspector of constabulary” insert “, a specified employee of SOCA”.

(3) After paragraph (2) insert—

“(3) In relation to a specified employee of SOCA—

- (a) any reference in these Regulations to the police authority shall be construed as a reference to SOCA;
- (b) any reference in these Regulations to a force shall be construed as a reference to SOCA.”.

34. In regulation 5 (transfers), at the end of paragraph (b), insert—

“or

- (c) being a specified employee of SOCA, leaving SOCA for the purpose of joining a home police force as a regular police officer and joining that force in that capacity, where he leaves SOCA after giving notice of such period as required by his contract of employment of his intention to do so to SOCA or after giving such shorter period of notice as may be agreed between the specified employee of SOCA and SOCA.”.

35.—(1) Regulation 17 (retirement) is amended as follows.

- (2) In paragraph (1)(c), omit “or” (in the last place).
- (3) At the end of paragraph (1)(d), insert—

“or

- (e) leaving a force on joining the National Criminal Intelligence Service or the National Crime Squad and subsequently becoming a specified employee of SOCA.”.

36.—(1) Regulation 18 (voluntary retirement) is amended as follows.

- (2) In paragraph (2), at the start insert “Subject to paragraph (2A)”.
- (3) After paragraph (2) insert—

“(2A) A specified employee of SOCA who intends to retire under this regulation shall give SOCA notice of such period as required by his contract of employment of that intention or shall give such shorter period of notice as may be agreed between the specified employee of SOCA and SOCA.”.

- (4) After paragraph (4) insert—

“(5) A specified employee of SOCA shall be deemed to have retired in accordance with this regulation where his contract of employment has been terminated.”.

37.—(1) Regulation 19 (compulsory retirement on account of age) is amended as follows.

- (2) In paragraph (1), for “From 6th April 2006” substitute “Subject to paragraph (4), from 6th April 2006”.

- (3) In paragraph (2), for “subject to paragraph (3)” substitute “subject to paragraphs (3) and (4)”.
- (4) After paragraph (3), insert—

“(4) This regulation shall not apply to a specified employee of SOCA.”.

38.—(1) Regulation 20 (compulsory retirement on grounds of efficiency of the force) is amended as follows.

- (2) In paragraph (1), for “This regulation applies” substitute “Subject to paragraph (3), this regulation applies”.

- (3) After paragraph (2), insert—

“(3) This regulation shall not apply to a specified employee of SOCA.”.

39. In regulation 23 (pensionable pay) at the end insert “and during any period in which a member of a police force is a specified employee of SOCA, it means the pay at the rate to which he is or was then entitled under his contract of employment, account being taken of any retrospective increase in that rate”.

40.—(1) Regulation 51 (review and cancellation of pensions payable on the ground of permanent disablement) is amended as follows.

(2) After paragraph (13) insert—

“(14) In its application to a specified employee of SOCA, this regulation shall apply with the following modifications—

- (a) any consideration by the police authority under paragraph (1) shall be of whether the disablement of the person concerned has significantly worsened such that he has become permanently disabled for engaging in any regular employment (in the case of a person such as is mentioned in paragraph (1)(a)) or improved such that his disablement for engaging in any regular employment has ceased (in the case of a person such as is mentioned in paragraph (1)(b));
- (b) any consideration by the police authority under paragraph (1) shall not include any consideration of whether the disability of the person concerned has improved such that he is no longer disabled for the performance of the ordinary duties of a member of the police force; and
- (c) paragraphs (3), (4), (6), (7) and (12) shall not apply.”.

41.—(1) Schedule 1 (glossary of expressions) is amended as follows.

(2) In the definition of “maternity leave” at the end insert “except that in relation to a specified employee of SOCA it means any period of maternity leave taken by that employee whilst employed by SOCA”.

(3) In the definition of “parental leave” at the end insert “except that in relation to a specified employee of SOCA it means any period of parental leave taken by that employee whilst employed by SOCA”.

(4) In the definition of “part-time service” at the end insert “or any other part-time service as a regular police officer or part-time employment as a specified employee of SOCA”.

(5) In the definition of “regular police officer” after “inspector of constabulary” insert “, a specified employee of SOCA”.

(6) In the definition of “sick leave” at the end insert “except that in relation to a specified employee of SOCA it means any period of sick leave taken by that employee whilst employed by SOCA”.

(7) After the definition of “sick leave” insert—

““Specified employee of SOCA” means—

- (a) an employee of SOCA who immediately before he last became an employee of SOCA was serving as the Director General of the National Crime Squad;
- (b) an employee of SOCA who immediately before he last became an employee of SOCA was serving as a police member of the National Criminal Intelligence Service appointed under subsection (1)(b) of section 9 of the Police Act 1997 by virtue of subsection (2)(a) of that section;
- (c) an employee of SOCA who immediately before he last became an employee of SOCA was serving as a police member of the National Crime Squad appointed under subsection (1)(b) of section 55 of the Police Act 1997 by virtue of subsection (2)(a) of that section.”.

42.—(1) Schedule 5 (amendment of the Police (Injury Benefit) Regulations 2006) is amended as follows.

(2) Paragraph 13 is omitted.

The Police Pension Fund Regulations 2007

43. The 2007 Regulations are amended in accordance with the provisions of regulations 44 to 48.

44.—(1) Regulation 2 (interpretation) is amended as follows.

(2) In the definition of “police authority”, at the end insert “and, in relation to a specified employee of SOCA, it means SOCA”.

(3) In the definition of “regular police officer” at the end insert “and a specified employee of SOCA”.

(4) After the definition of “serviceman” insert—

““Specified employee of SOCA” has the meaning given by Schedule A of the 1987 Regulations”.

45.—(1) Regulation 4 (particular payments into and out of the police pension fund) is amended as follows.

(2) In paragraph (2)(e), omit “and”.

(3) At the end of paragraph (2)(f) insert—

“and

(g) sums payable under regulation 85(2)(a) of the 2006 Regulations.”.

46. In regulation 5(1) (police authority contributions) for “24.6%” substitute “24.2%”.

47. In regulation 12(4) (particular cases)—

(a) for “24.6%” substitute “24.2%”; and

(b) for “25.9%” substitute “25.5%”.

48. After regulation 12, insert the following regulation—

“**12A.**—(1) In the application of these Regulations to SOCA as police authority in relation to a specified employee of SOCA, these Regulations shall have effect subject to the following modifications.

(2) References to the police fund shall be construed as references to the account established and maintained by SOCA and known as the income and expenditure account.

(3) Regulation 3(4) shall not apply.”

Home Office
9th July 2008

Tony McNulty
Minister of State

We consent

Alan Campbell
Dave Watts

15th July 2008

Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Pensions Regulations 1987, the Police Pensions (Purchase of Increased Benefits) Regulations 1987, the Police (Injury Benefit) Regulations 2006, the Police Pensions Regulations 2006 and the Police Pension Fund Regulations 2007. These amendments make provision for such Regulations to apply to a “specified employee of SOCA”. Specified employees of the Serious Organised Crime Agency (“SOCA”) are those who immediately before joining SOCA, were serving as the Director General of the National Crime Squad, or a police member of the National Crime Squad or the National Criminal Intelligence Service. The amendments enable specified employees of SOCA to remain members of the pension scheme established by the Police Pensions Regulations 1987 and to transfer to the new pension scheme established by the Police Pensions Regulations 2006 should they so wish. The amendments also provide for the continued availability of benefits under the Police (Injury Benefit) Regulations 2006 where a specified employee of SOCA is permanently disabled as a result of injury received in the execution of duty. The amendments also amend the Police Pension Fund Regulations 2007 to provide for the funding arrangements established by those Regulations to apply to SOCA in relation to its specified employees.

These Regulations also provide for a new set of compulsory retirement ages for police officers and a new entitlement for voluntary retirement under the Police Pensions Regulations 1987, making related amendments to the Police Pensions (Purchase of Increased Benefits) Regulations 1987. These Regulations also reduce the employer contributions payable by police authorities under the Police Pension Fund Regulations 2007.

These Regulations have effect from 1st April 2006 save as follows. Regulations 28 to 42 have effect from 6th April 2006. Regulation 8 only has effect from 1st April 2006 to 30th September 2006. The following regulations have effect from 1st October 2006: regulations 4, 5(2) (in so far as it inserts paragraph (5C) into regulation A6 of the Police Pensions Regulations 1987), 9, 11(2) to (4) and (6), 12 to 14, 16, 18(3), 19 and 21 to 27. Regulations 46 and 47 have effect from 1st April 2008. Retrospective effect is permitted by section 1(5) of the Police Pensions Act 1976.

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