STATUTORY INSTRUMENTS

1970 No. 587

POLICE

The Police Pensions (Amendment) Regulations 1970

Made - - -	16*th April* 1970
Laid before Parliament	24*th April* 1970
Coming into Operation	1*st May* 1970

In exercise of the powers conferred on me by section 1 of the Police Pensions Act 1948(a) (read with Article 2(1) of the Minister for the Civil Service Order 1968(b)), as extended and amended by section 43 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(c), section 5(3) of the Overseas Service Act 1958(d) and Schedule 2 thereto, section 1(1) of the Police Pensions Act 1961(e), sections 40, 43(4), 45(4) and 63 of the Police Act 1964(f) and Schedules 6 and 9 thereto, sections 35 and 38(4) of the Police (Scotland) Act 1967(g) and section 5 of the Police Act 1969(h), and after consultation with the Police Council for Great Britain, I hereby, in consequence of the enactment of section 2 of the said Act of 1969 and with the consent of the Minister for the Civil Service, make the following Regulations:—

1. These Regulations may be cited as the Police Pensions (Amendment) Regulations 1970.

2. These Regulations shall come into operation on 1st May 1970 and shall have effect for the purposes of Regulation 5 thereof as from that date and for all other purposes as from 17th December 1969.

3. In these Regulations any reference to the principal Regulations is a reference to the Police Pensions Regulations 1966(i), as amended (j).

4. At the end of Regulation 35 of the principal Regulations (which relates to previous service reckonable without payment) there shall be added the following sub-paragraph:—

"(*e*) where he previously engaged for a period of service in the Royal Ulster Constabulary as mentioned in section 2(1) of the Police Act 1969 and he exercises the right of reversion to a home police force conferred by the said section 2(1) or, on that right arising, does not exercise it but joins another home police force, any period of pensionable service which was reckonable by him, for the purposes mentioned in sub-paragraph (*d*), immediately before he left the Royal Ulster Constabulary.".

(a) 1948 c. 24. (b) S.I. 1968/1656 (1968 III, p. 4485).
(c) 1951 c. 65. (d) 1958 c. 14. (e) 1961 c. 35.
(f) 1964 c. 48. (g) 1967 c. 77. (h) 1969 c. 63.
(i) S.I. 1966/1582 (1966 III, p. 4894).
(j) The amending Regulations are not relevant to the subject matter of these Regulations.

5. At the end of Regulation 43 of the principal Regulations (which relates to pensionable pay) there shall be added the following paragraph:—

"(9) Where a regular policeman has served as a member of the Royal Ulster Constabulary on or after 1st May 1970 and so served during part of the period of 3 years referred to in paragraph (2), then, that paragraph shall have effect in his case as if any reference therein to pensionable pay included a reference to such pay within the meaning of the legislation for the time being in force in Northern Ireland relating to the superannuation of members of the Royal Ulster Constabulary.".

6.—(1) In paragraph (1) of Regulation 64 of the principal Regulations (which relates to payments on transfer to the Royal Ulster Constabulary) for the words "consent of the police authority" there shall be substituted the words "consent mentioned in paragraph (4)".

(2) At the end of the said Regulation 64 there shall be added the following paragraph:—

"(4) The consent referred to in paragraph (1) is—

(*a*) in the case of a policeman who left his force before 17th December 1969 or was a chief officer of police, an assistant chief constable or a deputy chief constable and left his force on or after that date, the consent of the police authority;

(*b*) in any other case, the consent of the chief officer of police acting with the consent of the police authority.".

7. In Regulation 103 of the principal Regulations (which relates to references to retirement) for the words "the consent of the police authority" there shall be substituted the words "such consent as is mentioned in Regulation 64".

8. In Regulation 105(2)(*d*) of the principal Regulations (which relates to aggregate pension contributions) for the words "Regulation 35(*d*) or 38" there shall be substituted the words "Regulation 35(*d*) or (*e*) or Regulation 38".

James Callaghan,
One of Her Majesty's Principal Secretaries of State.

15th April 1970.

Consent of the Minister for the Civil Service given under his Official Seal on 16th April 1970.

(L.S.)

K. H. McNeill,
Authorised by the Minister for the Civil Service.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Police Pensions Regulations 1966 and are made in consequence of section 2 of the Police Act 1969 (which contains provisions for facilitating the engagement of members of home police forces for periods of service in the Royal Ulster Constabulary). Regulation 2 provides that (except for the purposes of Regulation 5) they shall have effect as from 17th December 1969 (the date on which section 2 came into operation); this provision is made in exercise of the power conferred by section 5(1) of the Act of 1969.

Regulation 4 provides that a regular policeman who exercises the right of reversion to a home police force conferred by section 2 of the 1969 Act or, instead, joins another home police force shall be entitled to reckon as pensionable service the period he was entitled to reckon as a member of the Royal Ulster Constabulary. Regulation 8 makes related provision for the taking into account of pension contributions as a member of the Royal Ulster Constabulary for the purposes of calculating an award by way of return of pension contributions.

Regulation 5 provides that, in determining the average pensionable pay of a regular policeman with recent service in the Royal Ulster Constabulary, account shall be taken of his pay while serving therein.

Regulations 64 and 103 of the Regulations of 1966 contain references to a member of a police force who leaves to join the Royal Ulster Constabulary with the consent of his police authority. Regulations 6 and 7 amend these references so as to bring the requisite consent into accord with that required by section 2(1) and (5)(*a*) of the 1969 Act.

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