

1989 No. 387**POLICE****Royal Ulster Constabulary Pensions (Amendment No. 4)
Regulations 1989**

Made 2nd October 1989

Coming into operation 1st November 1989

To be laid before Parliament

The Secretary of State, in pursuance of section 25 of the Police Act (Northern Ireland) 1970(a), and after consulting, in accordance with section 34(2) of the said Act of 1970, the Police Authority and the Police Association and, in accordance with section 2(3) of the Police Negotiating Board Act 1980(b), the Police Negotiating Board for the United Kingdom, hereby, with the concurrence of the Treasury, makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Royal Ulster Constabulary Pensions (Amendment No. 4) Regulations 1989 and shall come into operation on 1st November 1989.

Interpretation

2. In these regulations any reference to the principal regulations is a reference to the Royal Ulster Constabulary Pensions Regulations 1988(c).

Aggregate pension contributions for purposes of awards

3. In regulation A9(2) of the principal regulations there shall be inserted at the end the following provision:—

“(h) any payment made by the person concerned to the Police Authority under regulation F1(2) in respect of a period of unpaid maternity leave.”.

Reckoning of pensionable service

4. In the principal regulations there shall be substituted for regulation F1 the following regulation:—

“F1—(1) The pensionable service reckonable by a member at any date (in these regulations referred to as the “relevant date”) shall be determined in accordance with the succeeding provisions of this Part:

(a) 1970 c.9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670

(b) 1980 c.10

(c) S.R. 1988 No. 374 as amended by S.R. 1988 No. 438

Provided that there shall not be reckonable by a member—

(a) any period of unpaid maternity leave granted in the case of a woman member—

(i) which ended before 27th February 1986; or

(ii) in respect of which the conditions specified in paragraph (2) are not satisfied;

(b) any period of unpaid leave, other than maternity leave, falling on or after 27th February 1986 except such a period granted in the case of a person who ceased to serve as a member before 1st November 1989.

(2) The conditions referred to in sub-paragraph (a)(ii) of the proviso to paragraph (1) are that the person concerned—

(a) serves as a member throughout a period of 6 months commencing with the date of return to duty at the end of a period of maternity leave which includes the period of unpaid maternity leave in question; and

(b) within 6 months of that date or 1st November 1989 whichever is the later, pays to the Police Authority a sum equal to the sum of the pension contributions which would have been payable for the period of unpaid maternity leave in question had it not been granted.”.

Northern Ireland Office
12th September 1989

Peter Brooke
One of Her Majesty's Principal
Secretaries of State

We concur
2nd October 1989

Stephen Dorrell
David Lightbown
Two of the Lords Commissioners
of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations, which come into operation on 1st November 1989, amend the Royal Ulster Constabulary Pensions Regulations 1988 ("the principal regulations").

Regulation 4 amends regulation F1 of the principal regulations so as to enable unpaid maternity leave to be reckonable as pensionable service provided that the person granted such leave remains in service as a member for six months after her return to duty and within that period pays to the Police Authority a sum equivalent to the pension contributions which would have been payable if such leave had not been granted; a consequential amendment is made to regulation A9 of the principal regulations by regulation 3 to enable such a payment to be included in that person's aggregate pension contributions. Regulation F1 of the principal regulations is also amended to exclude from reckoning as pensionable service any period of other unpaid leave.