

SCHEDULE 2

Regulation 28

Pensions

Pensions regulations

1. The regulations referred to in regulation 28 are—
 - (a) the Royal Ulster Constabulary Pensions Regulations 1988(1),
 - (b) the Royal Ulster Constabulary (Injury Benefit) Regulations 1988(2),
 - (c) the Royal Ulster Constabulary (Purchase of Increased Benefits) Regulations 1988(3), and
 - (d) the Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993(4),

and the modifications referred to in regulation 28(a) are set out in the remaining paragraphs of this Schedule (the general modifications in paragraphs 2 to 6 being subject to paragraphs 7 to 22).

General modifications

2. For any reference in those regulations to a member of the force, except in regulations A11(2), G5(3)(a)(5) and H5(2) of the Royal Ulster Constabulary Pensions Regulations 1988, substitute a reference to a police trainee.

3.—(1) Subject to sub-paragraph (2), for any reference in those regulations to service in the force—

- (a) if it is a reference to a person joining or re-joining the force substitute a reference to a person respectively becoming a police trainee or becoming a police trainee again,
- (b) if it is a reference to a person ceasing to serve as a member or leaving the force substitute a reference to a person ceasing to serve as a police trainee without being appointed as a member of the Police Service of Northern Ireland,
- (c) if it is a reference to a person continuing to serve as a member substitute a reference to that person being appointed to the rank of constable in the Police Service of Northern Ireland on completion of his service as a police trainee, and continuing to serve as a member of that service, and
- (d) in the case of any other reference to service as a member substitute a reference to service as a police trainee.

(2) In the case of a police trainee who has served as a member of the force before becoming a police trainee, any reference in those regulations to service in, or retirement from, the force before last joining or rejoining the force shall continue to refer to that previous service as well as having the meaning given by the modifications set out in sub-paragraph (1).

4. For any reference in those regulations to the Police Authority for Northern Ireland substitute a reference to the Chief Constable.

5. For any reference in those regulations to an injury received in the execution of duty by a member substitute a reference to an injury received as a consequence of a person's service as a police

(1) S.R. 1988 No. 374 as amended by S.R. 1988 No. 438, S.R. 1989 No. 387, S.R. 1990 No. 411, S.R. 1993 No. 223, S.R. 1993 No. 327, S.R. 1996 No. 4, S.R. 1997 No. 259, S.R. 1998 No. 240 and S.R. 2001 No. 263

(2) S.R. 1988 No. 376, as amended by S.R. 1993 No. 327 and S.R. 1998 No. 440

(3) S.R. 1988 No. 379, as amended by S.R. 1988 No. 442, S.R. 1989 No. 388 and S.R. 1990 No. 411

(4) S.R. 1993 No. 249, as amended by S.R. 1997 No. 464

(5) Regulations G4 and G5 were substituted by S.R. 1990 No. 411 reg. 6(17)

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trainee within the meaning of regulation A10 of the Royal Ulster Constabulary Pensions Regulations 1988 as modified by this Schedule.

6. For any reference in those regulations to the principal regulations or the 1988 regulations substitute a reference to the Royal Ulster Constabulary Pensions Regulations 1988 as modified by this Schedule.

Royal Ulster Constabulary Pensions Regulations 1988

7. In regulation A9(2)(d) of the Royal Ulster Constabulary Pensions Regulations 1988 (aggregate pension contributions for purposes of awards) for “has transferred to the force from a police force in Great Britain” substitute “has become a police trainee on leaving a police force in Great Britain for that purpose”.

8. For regulation A10(1) and (2) of the Royal Ulster Constabulary Pensions Regulations 1988 substitute—

“(1) For the purposes of these regulations an injury shall be treated as received as a consequence of a person’s service as a police trainee if—

- (a) the police trainee concerned received the injury while attending training or while on a journey necessary to enable him to attend training or return home after training, or
- (b) he would not have received the injury had he not been known to be a police trainee, or
- (c) the Chief Constable is of the opinion that the preceding condition may be satisfied and that the injury should be treated as one received as aforesaid.”;

9. In regulation A14(2) of the Royal Ulster Constabulary Pensions Regulations 1988 (transfers) for “having transferred from a police force in Great Britain” substitute “leaving a police force in Great Britain for the purpose of becoming a police trainee”.

10. In regulation A15 of the Royal Ulster Constabulary Pensions Regulations 1988 (retirement) in sub-paragraph (1) for the words from “includes” to “but does not include” substitute “is a reference to a police trainee ending his period of service under regulation 6(2) of the Police Trainee Regulations (Northern Ireland) 2001 or under regulation A16, A17 or A18, and does not include a reference to the period of service of a police trainee being terminated under any other provision of the Police Trainee Regulations (Northern Ireland) 2001 or a reference to a police trainee being appointed to the rank of constable in the Police Service of Northern Ireland on completion of his service as a police trainee or”.

11. For any reference in the Royal Ulster Constabulary Pensions Regulations 1988 to a person being dismissed substitute a reference to the period of service of a police trainee being terminated under the Police Trainee Regulations (Northern Ireland) 2001.

12. In regulation E3A(3)(b)(6) of the Royal Ulster Constabulary Pensions Regulations 1988 (lump sum death grant — widows and widowers) for “absent from duty without pay” substitute “absent from training without pay”.

13. In regulation E10 of the Royal Ulster Constabulary Pensions Regulations 1988 (determination of amount of widow’s or child’s flat-rate award and increase thereof by reference to the Pensions (Increase) Act 1971)—

(a) for paragraph (2) substitute—

“(2) In the case of a widow’s pension the appropriate sum for the purposes of this regulation shall be, subject to paragraph (3), £29·05.”,

(6) Regulation E3A was inserted by [S.R. 1993 No. 327](#)

- (b) in paragraph (3) for “Each of the sums” substitute “The sum”, and
- (c) for paragraph (4) substitute—

“(4) In the case of a child’s allowance the appropriate sum for the purposes of this regulation shall be £9·55.”.

14. In regulation F3(7) of the Royal Ulster Constabulary Pensions Regulations 1988 (previous service reckonable without payment)—

- (a) for paragraph (1)(a) substitute—

“(a) where he became a police trainee on leaving a police force in Great Britain for that purpose, any period of pensionable service reckonable by him, immediately before leaving that force, for the purposes of the legislation for the time being in force relating to the pensions of regular policemen in Great Britain;”, and

- (b) in paragraph (2) for “transferred as mentioned in paragraph (1)(a)” substitute “to whom paragraph (1)(a) applies became a police trainee”.

15. In regulation I4 of the Royal Ulster Constabulary Pensions Regulations 1988 for “returning to duty” substitute “returning to training”.

16. In regulation K1(3) of the Royal Ulster Constabulary Pensions Regulations 1988 substitute—

“(3) If the person concerned within the period referred to in paragraph (2) offers to become a police trainee again, he shall be permitted to do so.”

17. In the Royal Ulster Constabulary Pensions Regulations 1988 omit Part M (auxiliary members).

18. In Part III of Schedule C to the Royal Ulster Constabulary Pensions Regulations 1988 (widow’s accrued pension) in paragraph 3(1)(8) omit the words “by reference to the rank held by her husband”.

19. In Part I of Schedule D to the Royal Ulster Constabulary Pensions Regulations 1988 (children’s ordinary allowance) in paragraph 5 omit the words “by reference to the rank held by the relevant parent”.

Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993

20. For “pensionable member” where it appears in the Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993 substitute “pensionable police trainee”.

21. For the definition of “pensionable member” in regulation 2(2) of the Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993 substitute—

““pensionable police trainee” means a police trainee by whom contributions are for the time being payable under regulation G2 of the 1988 regulations;”.

22. In paragraph 5(2) of Schedule 2 to the Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993 (benefit limits: definitions) for “as a regular member within the meaning of the 1988 Regulations” substitute “as a police trainee”.

(7) Regulation F3 was amended by S.R. 1997 No. 259 reg. 6(2) and S.R. 1998 No. 240 reg. 3(2)

(8) Paragraph 3(1) was amended by S.R. 1990 No. 411 reg.6(21)