

***EXPLANATORY MEMORANDUM TO:
THE POLICE SERVICE OF NORTHERN IRELAND PENSIONS
(AMENDMENT) REGULATIONS 2006
2006 No 123***

1. This explanatory memorandum has been prepared by the Northern Ireland Office and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments, and the Merit Committee.

2. Description

2.1 These regulations provide for the implementation in the Police Service of Northern Ireland (PSNI) of a change in the way part-time service in the PSNI is calculated so that officers with part-time service in the PSNI receive a fairer proportion of their full-time counterparts' pensions. The change will allow pension benefits of an officer with part-time service in the PSNI to be calculated as if he or she had been wholly full-time and then pro-rated for periods of part-time service. These regulations also replicate changes made in England and Wales in 2003.

3. Matters of special interest to Joint Committee on Statutory Instruments/Select Committee on Statutory Instruments

3.1 These regulations generally have effect from 1 April 2006 but elements have effect back-dated to 1992. Retrospective effect is authorised by Articles 14 and 15 of the Superannuation (Northern Ireland) Order 1972.

4. Legislative Background

4.1 These regulations bring onto a formal legal basis arrangements which have been implemented on an administrative basis in the PSNI since June 2005, following agreements reached with Treasury to allow a fairer calculation of pension for police officers who worked part-time hours. These regulations amend the Royal Ulster Constabulary Pensions Regulations 1988 and the Royal Ulster Constabulary Pensions (Purchase of Increased Benefits) Regulations 1988.

5. Extent

These regulations extend to Northern Ireland only but reflect changes already made in England and Wales by the Home Office. Elements have been back-dated to July 1992, the date when part-time service was introduced into the police.

6. European Convention on Human Rights.

Not applicable.

7. Policy Background

The policy objectives of the parent Act give the Secretary of State powers to make regulations with respect to the pension benefits of police officers in the PSNI. The measures in these regulations were agreed with Treasury as a fairer assessment of calculating the pension of police officers with part-time service, and have been agreed at Police Negotiating Board. The measures were introduced administratively in the PSNI in June 2005. The Northern Ireland Policing Board and Police Association have been consulted.

8. *Impact*

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as there is no impact on business, charities or voluntary bodies.

9. *Contact*

9.1 Walter Myles at the Northern Ireland Office can deal with any queries regarding this instrument. He can be contacted by telephone on 028 9052 8614 or by e-mail: Walter.Myles@nio.x.gsi.gov.uk.