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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 79**

THE POLICE PENSION (NORTHERN  
IRELAND) REGULATIONS 2009

PART 5

PURCHASE OF INCREASED BENEFITS

**Reckoning of increased benefits**

57.—(1) Subject to the following provisions of this regulation, for the purposes of calculating any award under Part 4 to or in respect of a police officer, added years purchased in pursuance of an election under regulation 53(2) shall be reckonable in the same way as other pensionable service reckonable by him.

(2) Subject to regulation 55(2), in a case where a police officer elects under regulation 53(3)(c) to make payments by way of a lump sum, he shall be entitled to reckon the number of added years specified in his notice of election under regulation 53(3)(a).

(3) In a case where a police officer elects under regulation 53(3)(c) to make payments by way of periodical contributions, he shall be entitled to reckon the number of added years determined in accordance with the following provisions of this regulation.

(4) Unless a police officer is in part-time service and has elected to pay contributions at the same percentage of his pensionable pay as if he were in full-time service as in regulation 56(7), in a case where the periodical contributions continue in payment until the date specified in the notice of election, the officer will be entitled to reckon the number of added years specified in his notice of election under regulation 53(3)(a).

(5) This paragraph applies where a police officer has commenced payment of periodical contributions in accordance with an election under regulation 53(2) and dies in service or retires with an entitlement to an ill-health pension under regulation 26.

(6) In a case in which paragraph (5) applies, the officer concerned shall, subject to paragraph (8), be entitled to reckon all the added years specified in his notice of election under regulation 53(3)(a), save that where—

- (a) he had discontinued payment of periodical contributions on the grounds of financial hardship under regulation 54(4); or
- (b) he was an officer with part-time service and had elected to pay contributions at the same percentage of his pensionable pay as if he were in full-time service as in regulation 56(7), he shall be entitled to reckon a proportion of such benefits, determined in accordance with the formula set out in paragraph (7).

(7) The formula referred to in paragraph (6) is—

$$\frac{AYxPM}{PD}$$

where—

AY is the number of added years specified in the notice of election in accordance with regulation 53(3)(a);

PM is the aggregate length of the periods during which periodical contributions were made calculated in accordance with paragraph (14), where applicable; and

PD is the length of the period beginning with the date on which the election under regulation 53(2) took effect and ending on the date on which the officer concerned died or retired on the ground of disablement, as the case may be.

- (8) Subject to paragraph (9), in a case in which the officer concerned retired with—
- (a) an entitlement to a standard ill-health pension and that entitlement ceases in accordance with regulation 48; or
  - (b) an entitlement to an enhanced top-up ill-health pension and that entitlement ceases in accordance with regulation 48 in circumstances where he does not then remain entitled to a standard ill-health pension under paragraph (11)(c) of that regulation,

then (whether or not he rejoins the police service), his entitlement under paragraph (6) to reckon all or a proportion of the number of added years specified in his notice of election under regulation 53(3)(a) shall cease, but for the purposes of this regulation he will be deemed to have made the periodical contributions which, but for his retirement, would have fallen due during the period of that retirement.

(9) Where at the time of the officer's retirement on the ground of disablement he was entitled to reckon the proportion of the added years which he elected to purchase given in paragraph (7) he shall be deemed to have made a proportion of such periodical contributions, determined in accordance with the formula set out in paragraph (10).

- (10) The formula referred to in paragraph (9) is—

$$\frac{PN \times PM}{PD}$$

where PN is the length of the period beginning with the date on which the officer retired on the ground of disablement and ending on the date on which entitlement to the ill-health pension in question ceased, and PM and PD have the same meaning as in paragraph (7).

- (11) This paragraph applies to a police officer in respect of whom—
- (a) periodical contributions continue to be payable until the date specified in the notice of election, but had been discontinued for a period on the grounds of financial hardship under regulation 54(4), whether or not they were so discontinued at the date specified in the notice of election;
  - (b) periodical payments continue to be payable until the date specified in the notice of election, but he is an officer in part-time service and has elected to pay contributions payable at the same percentage of his pensionable pay as if he were in full-time service as in regulation 56(7);
  - (c) periodical contributions ceased in accordance with regulation 56(1)(b)(ii) on the date on which any election made by him under regulation 7 takes effect; or
  - (d) periodical contributions ceased in accordance with regulation 56(1)(b)(iii) on the date on which he retired under regulations 15, 16, or 17, as the case may be, or otherwise ceased to serve as a police officer.

(12) In a case in which paragraph (11) applies, the officer shall be entitled to reckon a proportion of the number of added years specified in his notice of election under regulation 53(3)(a), determined in accordance with the formula set out in paragraph (13).

(13) The formula referred to in paragraph (12) is—

$$\frac{AY \times PM}{PE}$$

where—

AY is the number of added years specified in the notice of election in accordance with regulation 53(3)(a);

PM is the aggregate length in years of the period during which periodical contributions were paid, or deemed to have been paid, subject to paragraph (14); and

PE is the length of the period beginning with the date on which the election under regulation 53(2) took effect and ending on the date specified in the notice of election in accordance with regulation 53(3)(b).

(14) In the case of a police officer with part-time service who elected to pay contributions at the same percentage of his pensionable pay as if he were in full-time service as in regulation 56(7) the number of days for which he is deemed to have paid periodical contributions during a period of part-time service is calculated by the application of the fraction specified in regulation 11(1).