
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 610

The Police (Injury Benefit) (Scotland) Regulations 2006

PART 5

REVISION AND WITHDRAWAL OR FORFEITURE OF AWARDS

Reduction of pension in case of default

38.—(1) Where a member of a police force or a person who has been a member of a police force becomes permanently disabled and has brought about or substantially contributed to the disablement by their own default, the police authority may reduce the amount of any injury award payable to that person by them by an amount not exceeding a half of that to which the person would otherwise be entitled:

Provided that—

- (a) this regulation shall not apply where the person concerned has been a regular police officer and is in receipt of an ill health pension under regulation B3 of the 1987 Regulations and would, if the officer had continued to serve instead of retiring with that pension, have been entitled to reckon for the purposes of those Regulations 25 years' pensionable service (and, for the purposes of this proviso, in the case of a regular police officer who has spent one or more periods in part time service, in determining the number of years of pensionable service the officer would have been entitled to reckon a period of service by virtue of which their pensionable service is reckonable is reckonable as if it were a period of full time service); and
- (b) where the injury pension of a regular police officer by whom pension contributions were payable under regulation G2 of the 1987 Regulations has been reduced under this regulation, then if when the officer attains the age of 60 years the reduced pension is less than the amount of the deferred pension which would have been payable had the officer been granted such a pension under regulation B5 of the 1987 Regulations on the date of their ceasing to serve it shall be increased to that amount.