
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 201

The Police Pensions (Scotland) Regulations 2007

PART 2

**ELIGIBILITY FOR PENSION AWARDS,
PENSIONABLE SERVICE AND RETIREMENT**

Pensionable service

Previous service reckonable without payment

- 12.—(1)** There shall be reckonable by a regular police officer as pensionable service—
- (a) where from being a regular police officer in another force the officer transferred to the force in which the officer is or was serving on the relevant date, any period of pensionable service reckonable by that officer immediately before the transfer;
 - (b) where the officer previously retired from a police force upon becoming entitled to a pension on the ground of disablement under regulation 21 and, following termination of that pension under regulation 51(5), (6) or (7), has rejoined that force or become a regular police officer in another force in which the officer is or was serving on the relevant date, any period of pensionable service which was reckonable by that officer immediately before that officer so retired;
 - (c) where the officer previously ceased to serve in a police force as a regular police officer with an entitlement to a deferred pension which has not come into payment and has subsequently rejoined that force or become a regular police officer in another force in which the officer is or was serving on the relevant date, any period of pensionable service reckonable by that officer immediately before that officer so ceased to serve; and
 - (d) where that officer previously ceased to serve in a police force as a regular police officer with an entitlement to a deferred pension which, in accordance with regulation 32, came into payment early on the ground of permanent disablement for engaging in any regular employment and that officer's pension has been terminated upon that officer rejoining that officer's force or joining another force under regulation 51(5), any period of pensionable service reckonable by that officer immediately before that officer so ceased to serve:

Provided that, in a case such as is mentioned in the preceding sub-paragraphs, where the officer was during the period of pensionable service in question purchasing added years by periodical contributions, those added years shall be taken into account only to the extent that—

- (i) in a case falling within sub-paragraph (a), they would have been taken into account for the purposes of a deferred pension if the officer had become entitled to such a pension immediately before the end of that period of service;
- (ii) in a case falling within sub-paragraph (b), they are reckonable by virtue of regulation 60(5) and (6); and

(iii) in a case falling within sub-paragraph (c), they were taken into account for the purposes of entitlement to the deferred pension mentioned in that sub-paragraph.

(2) In a case falling within paragraph (1)(c), the entitlement of the officer concerned to that deferred pension shall accordingly be relinquished.

(3) Where a regular police officer transferred as mentioned in paragraph (1)(a) during a leap year and throughout that leap year had continuous service as a regular police officer then, notwithstanding anything in paragraph (1)(a), the pensionable service reckonable by that officer by reason of that officer's continuous service in that year shall be a year's, and not 366 days', pensionable service.

(4) This regulation has effect subject to regulation 14.