

1962 No. 2755

## NATIONAL INSURANCE

**The National Insurance (Modification of the  
Police Pensions Act 1948) Regulations 1962***Made* . . . . . 14th December 1962*Laid before Parliament*     21st December 1962*Coming into Operation*     1st January 1963

Whereas the Treasury has determined under section 69 (4) of the National Insurance Act 1946(a) that the Secretary of State is the appropriate Minister to make regulations under that provision modifying the scheme for the provision of pensions and other benefits established by the Police Pensions Act 1948(b) and the regulations made thereunder :

Now, therefore, in exercise of the powers conferred on me by the said section 69 (4), as extended by section 15 of the National Insurance Act 1959(c), I hereby make the following Regulations :—

*Modification of section 4 of the Police Pensions Act 1948*

1.—(1) In relation to any pension, other than a supplemental pension, granted under the Police Pensions Regulations to a regular policeman on his retirement on or after 3rd April 1961, subsections (1) and (2) of section 4 of the Police Pensions Act 1948 (which relate to the temporary and permanent forfeiture by police authorities of police pensions) shall apply only to—

- (a) the forfeiture, whether temporary or permanent, of the unsecured portion of the pension ; and
- (b) the temporary forfeiture of the secured portion of the pension for a period before insured pensionable age or during the imprisonment or detention in legal custody of the pensioner.

(2) A police authority, in determining under subsection (2) of the said section 4 whether a forfeiture shall be permanent or temporary and affect the pension in whole or in part, may make different determinations in respect of the secured and unsecured portions of a pension to which the preceding paragraph applies.

*Interpretation*

2.—(1) In these Regulations the following expressions shall have the meanings respectively which they have for the purposes of the Police Pensions Regulations :—

- “ pensionable service ” ;
- “ police authority ” ;
- “ regular policeman ” ;
- “ supplemental pension ” .

(2) In these Regulations the following expressions shall have the meanings respectively which they have for the purposes of the National Insurance Act 1959:—

“graduated retirement benefit”;

“non-participating employment”;

“payment in lieu of contributions”.

(3) In these Regulations any reference to insured pensionable age is a reference to the age of 65 years, in the case of a man, or 60 years, in the case of a woman.

(4) In these Regulations any reference to the Police Pensions Regulations is a reference to the regulations for the time being in force under the Police Pensions Act 1948.

(5) In these Regulations any reference to the secured portion of a pension is a reference to the portion of the pension which equals the graduated retirement benefit which would be payable to the pensioner, on the assumption that he retired from regular employment on attaining insured pensionable age, in return for a payment in lieu of contributions in respect of the whole of any period of non-participating employment by virtue of which he is entitled to reckon pensionable service for the purposes of the pension, being a period of non-participating employment at the end of which no payment in lieu of contributions in fact fell to be made; and any reference to the unsecured portion of a pension shall be construed accordingly.

For the purposes of this paragraph a period of non-participating employment shall be treated as continuing during periods of holiday, temporary incapacity for work and similar temporary interruptions.

(6) For the purposes of these Regulations, the annual rate of graduated retirement benefit shall be determined as if there were 52½ weeks in each year.

(7) In these Regulations any reference to any enactment is a reference to that enactment as amended or extended by or under any subsequent enactment.

(8) The Interpretation Act 1889(a) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

#### *Revocations*

3. The National Insurance (Modification of Police Pensions Provisions) Regulations 1960(b) and the National Insurance (Modification of the Police Pensions Provisions) (Scotland) Regulations 1960(c) are hereby revoked.

#### *Citation and commencement*

4. These Regulations may be cited as the National Insurance (Modification of the Police Pensions Act 1948) Regulations 1962 and shall come into force on 1st January 1963.

*Henry Brooke,*

One of Her Majesty's Principal Secretaries of State.

Home Office,  
Whitehall.

14th December 1962.

(a) 52 & 53 Vict. c. 63.

(b) S.I. 1960/2289 (1960 II, p. 2283).

(c) S.I. 1960/2286 (1960 II, p. 2289).

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations (which come into force on 1st January 1963 and apply throughout Great Britain) revoke the National Insurance (Modification of Police Pensions Provisions) Regulations 1960 and the National Insurance (Modification of the Police Pensions Provisions) (Scotland) Regulations 1960 and restate those provisions of the revoked Regulations which, in connection with the operation of the National Insurance Act 1959, made modifications to section 4 of the Police Pensions Act 1948 (which relates to forfeiture of pensions). The other provisions of the revoked Regulations, which made modifications to regulations made under the 1948 Act, are not restated; these modifications are now incorporated in the Police Pensions Regulations 1962 (S.I. 1962/2756).

For the purpose of this paragraph a period of non-participating employment shall be treated as continuing during periods of holiday, temporary absence from work and similar temporary interruptions.

The purpose of these Regulations is to restate the provisions of the National Insurance Act 1959 which relate to the forfeiture of pensions in connection with the operation of section 4 of the Police Pensions Act 1948.

(7) In these Regulations any reference to any enactment is a reference to that enactment as amended or extended by or under any subsequent enactment.

(8) The Interpretation Act 1953 shall apply to the interpretation of these Regulations as if they were an Act of Parliament.

The National Insurance (Modification of Police Pensions Provisions) Regulations 1960 and the National Insurance (Modification of the Police Pensions Provisions) (Scotland) Regulations 1960 are hereby revoked.

These Regulations may be cited as the National Insurance (Modification of Police Pensions Provisions) Regulations 1962 and shall come into force on 1st January 1963.

Henry Brooke, Secretary to the Ministry of Pensions and National Insurance, London, 14th December 1962.

14th December 1962