
STATUTORY INSTRUMENTS

1973 No. 1944

The Police (Retirement of Senior Officers) Regulations 1973

Application of section 260 of the Act

3.—(1) For the purposes of subsection (1) of section 260 of the Act (which provides that a person who holds a prescribed office, attains or has attained the age of 50 years on or before 31st March 1974 and fulfills prescribed conditions may by notice given before the prescribed date and in the prescribed manner elect that section 260 shall, and section 259 of the Act shall not, apply to him) the office of constable shall be a prescribed office and in relation to a person holding that office the prescribed conditions shall be that—

- (a) he is, on 1st January 1974—
 - (i) the chief constable or deputy chief constable of a police force in England or Wales, or
 - (ii) an assistant chief constable in such a police force whose annual pensionable pay on the date on which he gives notice under section 260(1) of the Act is not less than two thirds of that of the chief constable of that force calculated, however, where either officer is on an incremental scale of pay, by reference to the minimum of his scale;
- (b) where he retires before 1st April 1974, he does so with the agreement of the police authority and, before the date of his retirement, has or will have attained the age of 50 years;
- (c) he does not, before the date of his retirement, accept an offer of appointment as chief constable or deputy chief constable of, or as an assistant chief constable in, another police force in Great Britain;
- (d) he will not have attained the age of 65 years on or before 31st March 1974, and
- (e) where on retirement he is entitled to an award under Regulation 23 of the Pensions Regulations (deferred pension and award where no other award payable), under paragraph (2) thereof he relinquishes his entitlement to a deferred pension or, as the case may be, he repays to the police authority any award paid to him under paragraph (4) thereof,

and the notice given by such a person under section 260(1) of the Act shall be given in writing to the police authority before 28th February 1974.

(2) For the purposes of subsection (2) of the said section 260 (which provides that, unless notice of objection has been given in accordance therewith, where a person has elected under subsection (1) section 260 shall, and section 259 of the Act shall not, apply to him on his retirement within the prescribed period and before attaining the normal retiring age) the prescribed period shall be the period ending on 1st April 1974.