

SCHEDULE 3

TRANSITIONAL AND SAVINGS PROVISIONS

Pensions: savings

10.—(1) Despite the repeal of sections 26(1) and 27 of the 1967 Act(2), those sections continue to have effect in relation to pensions payable to or in respect of special constables and police cadets appointed under the 1967 Act.

(2) The amendments made by paragraphs 3, 7(3) and 8(2) of Schedule 2 to this Order do not affect the operation of the Acts modified by those paragraphs in relation to special constables or police cadets appointed under the 1967 Act.

(3) The amendments made by paragraph 7(2) of Schedule 2 to this Order do not affect the operation of the Pensions (Increase) Act 1971(3) in relation to service of any of the following kinds by any person—

- (a) temporary service in accordance with section 12A(2) of the 1967 Act(4);
- (b) service as an inspector or assistant inspector of constabulary under the 1967 Act;
- (c) central service pursuant to section 38 of the 1967 Act;
- (d) service in respect of which section 38A of the 1967 Act(5) had effect.

(4) The amendment made by paragraph 8(3) of Schedule 2 to this Order does not affect the operation of the Superannuation Act 1972(6) in relation to employment by the Police Complaints Commissioner for Scotland.

(5) The amendment made by paragraph 9 of Schedule 2 to this Order does not affect the operation of the Overseas Pensions Act 1973(7) in relation to a constable engaged on relevant service within the meaning of section 38A(1)(a), (c), (e) or (f)(8) of the 1967 Act.

(6) The amendments made by paragraph 12 of Schedule 2 to this Order (other than the amendments made by sub-paragraph (3)(b) and (c)(iv) of that paragraph) do not affect the operation of the Police Pensions Act 1976(9) in relation to service of any of the following kinds by any person—

- (a) temporary service in accordance with section 12A(2) of the 1967 Act;
- (b) central service pursuant to section 38 of the 1967 Act;
- (c) relevant service within the meaning of section 38A(1)(ab)(10), (bb)(11), (bc)(12) or (d)(13) of the 1967 Act;
- (d) service with the Scottish Police Services Authority;

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- (1) There are amendments to section 26 not relevant to this Order.
 - (2) Section 27(3) is amended by the Police Act 1969 (c.63), section 4(8) and the Police Act 1997 (c.50), Schedule 9, paragraph 9. See the 2012 Act and this Order, Schedule 1, paragraph 4 for repeals of sections 26 and 27.
 - (3) 1971 c.56.
 - (4) Section 12A(2) was inserted by the Police and Magistrates' Courts Act 1994 (c.29), section 50.
 - (5) Section 38A was inserted by the Police and Magistrates' Courts Act 1994 (c.29), section 60. There are amendments to section 38A not relevant to this Order.
 - (6) 1972 c.11.
 - (7) 1973 c.21.
 - (8) Section 38A(1)(f) was inserted by the International Development Act 2002 (c.7), Schedule 4, paragraph 1 and amended by the Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp 10), Schedule 6, paragraph 1(5)(a)(iv).
 - (9) 1976 c.35.
 - (10) Section 38A(1)(ab) was inserted by the Police Reform Act 2002 (c.30), Schedule 7, paragraph 1(1).
 - (11) Section 38A(1)(bb) was inserted by the Police Act 1997 (c.50), Schedule 9, paragraph 14 and repealed by the Police and Justice Act 2006 (c.48), Schedule 15, paragraph 1.
 - (12) Section 38A(1)(bc) was inserted by the Serious Organised Crime and Police Act 2005 (c.15), Schedule 4, paragraph 14(2)(b).
 - (13) Section 38A(1)(d) was amended by the International Development Act 2002 (c.1), Schedule 4, paragraph 1 and the Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp 10), Schedule 6, paragraph 1(5)(a)(iii).

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- (e) service as the Director General or Deputy Director General of, or as a police member of, the Scottish Crime and Drug Enforcement Agency.