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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 79**

**THE POLICE PENSION (NORTHERN  
IRELAND) REGULATIONS 2009**

**PART 4**

**PENSION AWARDS**

*Personal pensions*

**Exchange of lump-sum for additional periodical payments**

**34.**—(1) This regulation applies to the lump-sum of an ordinary pension, or a deferred pension under this Part (which is not a deferred pension that becomes payable by reason of permanent disablement under regulation 29(4) and (5)).

(2) In relation to a deferred pension, paragraphs (4), (5), and (6) shall have effect as if any reference to the date of retirement were a reference to the coming into payment of the pension or to the date of that coming into payment.

(3) A police officer may, subject to and in accordance with this regulation, exchange for additional annual pension payments the whole or part of a lump-sum element to which this regulation applies to which he may become entitled.

(4) For the purpose of exchanging a portion of his pension in accordance with this regulation a person shall give notice in writing to the Board (“notice of exchange”) and—

- (a) the notice shall be given before, but not earlier than four months before, his intended date of retirement;
- (b) the notice shall indicate his wish to surrender and exchange for additional annual pension payments the whole or such part as he may specify of the lump-sum payment to which he would otherwise become entitled;
- (c) the notice shall not be effective if it was given more than four months before the date of his retirement.

(5) Where a person retires having given an effective notice of exchange, the Board shall—

- (a) withhold the whole or the specified part of the lump-sum payment in accordance with the notice; and
- (b) pay to that person additional annual pension payments of such amount as represents the actuarial equivalent of the surrendered lump sum or portion of the lump sum at the date of his retirement, calculated from tables prepared by the Scheme actuary.

(6) Sums paid or payable as additional pension payments by virtue of an effective notice of exchange shall be disregarded for the purposes of the calculation of a survivor’s pension under regulation 38 or 39.