

## STATUTORY RULES OF NORTHERN IRELAND

### 2009 No. 79

## THE POLICE PENSION (NORTHERN IRELAND) REGULATIONS 2009

PROSPECTIVE

### PART 4 PENSION AWARDS

#### *Awards on death - additional provisions*

#### **Increase of awards by reference to the Pensions (Increase) Acts**

**47.—**(1) Where it is provided that, for the purpose of calculating an award by way of periodical payments or a gratuity (“the relevant award”), an amount shall be increased in accordance with this regulation, the increase shall be calculated in accordance with paragraph (2).

(2) The amount to be increased shall be increased by the amount, if any, by which a corresponding pension (within the meaning of the Pensions (Increase) Act (Northern Ireland) 1971) of the amount first mentioned would from time to time be increased under the Pensions (Increase) Acts if—

- (a) it were payable to the person entitled to the relevant award and, in relation thereto, he had the like guaranteed minimum pension (if any) as he has in relation to the relevant award;
- (b) it were one of the pensions specified in paragraph 43 of Part II of Schedule 2 to the said Act of 1971<sup>(1)</sup>;
- (c) it were not a pension to which section 1(2)(a) of the Pensions (Increase) Act 1974 applies, and
- (d) it began, within the meaning of the said Act of 1971, and became payable when the relevant award so began and became payable.

(3) The Pensions (Increase) Acts as applied by paragraph (2) shall have effect as if section 3 were omitted from the Pensions (Increase) Act 1971 and, accordingly, the amount first mentioned in paragraph (1) shall be increased so long as the pension is payable.

#### **Commencement Information**

**II** Reg. 47 in operation at 6.4.2009 with effect in accordance with reg. 1(2)

(1) Paragraph 43 has been amended by paragraph 8 of Schedule 2 to the Police Pensions Act 1976 (c.35) and paragraph 18(3) of schedule 7 to the Police Act 1996 (c.16)

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**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to THE POLICE PENSION (NORTHERN IRELAND) REGULATIONS 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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**Changes and effects yet to be applied to :**

- Regulations applied with modifications by reg. 91A and Sch. 4 as inserted by [S.R. 2013/36 Sch. para. 79](#)

**Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:**

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. 2 para. 9(g) Sch. 2 para. 9(e) renumbered as Sch. 2 para. 9(g) by [S.R. 2010/348 Sch. 2 para. 3\(3\)](#)
- Sch. 3 para. 19 inserted by [S.R. 2010/348 Sch. 2 para. 4](#)
- Sch. 4A inserted by [S.R. 2013/36 Sch. para. 9](#)
- reg. 1 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 2 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 2(2) words substituted by [S.I. 2013/2318 Sch. para. 101\(2\)](#)
- reg. 2(4) word substituted by [S.I. 2013/2318 Sch. para. 101\(3\)\(b\)](#)
- reg. 2(4) word substituted by [S.I. 2013/2318 Sch. para. 101\(3\)\(c\)](#)
- reg. 2(4) words substituted by [S.I. 2013/2318 Sch. para. 101\(3\)\(a\)](#)
- reg. 2(5)(6) inserted by [S.R. 2010/348 Sch. 1 para. 31](#)
- reg. 2(5)(6) omitted by [S.I. 2013/2318 Sch. para. 101\(4\)](#)
- reg. 3 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 4 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 4(2)(b) words inserted by [S.R. 2010/348 Sch. 2 para. 2](#)
- reg. 4(4)(b) word omitted by [S.R. 2013/36 Sch. para. 1\(a\)](#)
- reg. 4(4)(c) word inserted by [S.R. 2013/36 Sch. para. 1\(b\)](#)
- reg. 4(4)(d) inserted by [S.R. 2013/36 Sch. para. 1\(c\)](#)
- reg. 5 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 5 substituted by [S.R. 2012/64 reg. 3](#)
- reg. 5 substituted by [S.R. 2013/35 reg. 3](#)
- reg. 5 substituted by [S.R. 2014/19 reg. 3](#)
- reg. 6 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 6(1)(c) inserted by [S.R. 2013/36 Sch. para. 2](#)
- reg. 7 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 7(3A)-(3B) inserted by [S.R. 2013/36 Sch. para. 3\(a\)](#)
- reg. 7(5) words inserted by [S.R. 2013/36 Sch. para. 3\(b\)](#)
- reg. 7(6)-(7) substituted for reg. 7(6)-(9) by [S.R. 2013/36 Sch. para. 3\(c\)](#)
- reg. 8 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 9 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 10(1)reg. 10(2)(a)(b)(3)-(9) coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 10(2)(c) coming into force by [S.R. 2009/79 reg. 1\(3\)\(a\)](#)
- reg. 11 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 12 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 13 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 14 coming into force by [S.R. 2009/79 reg. 1\(2\)](#)
- reg. 14(1)(c) word omitted by [S.R. 2010/348 Sch. 1 para. 32\(2\)](#)

- reg. 14(1)(d) substituted by S.I. 2013/2318 Sch. para. 102(a)
- reg. 14(1)(e) and word inserted by S.R. 2010/348 Sch. 1 para. 32(3)
- reg. 14(1)(e) omitted by S.I. 2013/2318 Sch. para. 102(b)
- reg. 15 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 15(3) words substituted by S.R. 2010/348 Sch. 1 para. 33(2)
- reg. 15(3) words substituted by S.I. 2013/2318 Sch. para. 103(2)(a)
- reg. 15(3) words substituted by S.I. 2013/2318 Sch. para. 103(2)(b)
- reg. 15(3A) inserted by S.R. 2010/348 Sch. 1 para. 33(3)
- reg. 15(3A) omitted by S.I. 2013/2318 Sch. para. 103(3)
- reg. 15(6) words inserted by S.R. 2010/348 Sch. 1 para. 33(4)
- reg. 15(6) words omitted by S.I. 2013/2318 Sch. para. 103(4)(b)
- reg. 15(6) words substituted by S.I. 2013/2318 Sch. para. 103(4)(a)
- reg. 16 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 16(4) words inserted by S.R. 2010/348 Sch. 1 para. 34
- reg. 16(4) words omitted by S.I. 2013/2318 Sch. para. 104(b)
- reg. 16(4) words substituted by S.I. 2013/2318 Sch. para. 104(a)
- reg. 17 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 17(3) words inserted by S.R. 2010/348 Sch. 1 para. 35
- reg. 17(3) words omitted by S.I. 2013/2318 Sch. para. 105(b)
- reg. 17(3) words substituted by S.I. 2013/2318 Sch. para. 105(a)
- reg. 18 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 18(2) words substituted by S.R. 2013/36 Sch. para. 4
- reg. 19 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 20 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 20 words inserted by S.R. 2010/348 Sch. 1 para. 36
- reg. 20 words omitted by S.I. 2013/2318 Sch. para. 106(b)
- reg. 20 words substituted by S.I. 2013/2318 Sch. para. 106(a)
- reg. 21 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 22 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 23 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 24 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 25 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 26 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 27 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 28 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 29 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 30 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 31 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 32 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 33 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 34 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 35 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 36 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 37 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 37(2) words substituted by S.R. 2019/54 reg. 3(1)(a)
- reg. 37(2)(a) words omitted by S.R. 2019/54 reg. 3(1)(d)
- reg. 37(2)(a) words substituted by S.R. 2019/54 reg. 3(1)(b)
- reg. 37(2)(a)(iv) omitted by S.R. 2019/54 reg. 3(1)(c)
- reg. 37(4) omitted by S.R. 2019/54 reg. 3(2)
- reg. 38 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 39 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 39(9) words substituted by S.R. 2016/236 reg. 55 (This amendment comes into operation on the day on which the Universal Credit Regulations come into operation.)
- reg. 40 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 40(9) substituted by S.R. 2013/36 Sch. para. 5
- reg. 41 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 42 coming into force by S.R. 2009/79 reg. 1(2)

- reg. 43 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 43(4)(c) words inserted by S.R. 2019/54 reg. 4(1)
- reg. 43(4A)-(4C) inserted by S.R. 2019/54 reg. 4(2)
- reg. 44 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 45 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 46 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 47 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 48 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 48(17) words inserted by S.R. 2010/348 Sch. 1 para. 37
- reg. 48(17) words omitted by S.I. 2013/2318 Sch. para. 107(b)
- reg. 48(17) words substituted by S.I. 2013/2318 Sch. para. 107(a)
- reg. 49 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 49(1) words substituted by S.R. 2010/348 Sch. 1 para. 38(2)
- reg. 49(4) inserted by S.R. 2010/348 Sch. 1 para. 38(3)
- reg. 49(4) omitted by S.I. 2013/2318 Sch. para. 108
- reg. 50 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 51 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 52 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 52(2)(b) substituted by S.R. 2024/38 reg. 45(2)
- reg. 52(3) words substituted by S.R. 2024/38 reg. 45(3)
- reg. 52(3)(b) words inserted by S.I. 2023/1267 Sch. para. 28
- reg. 52(3A) inserted by S.R. 2024/38 reg. 45(4)
- reg. 52(4A) inserted by S.R. 2024/38 reg. 45(5)
- reg. 52(8) inserted by S.R. 2024/38 reg. 45(6)
- reg. 53 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 54 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 55 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 56 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 57 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 58 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 59 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 60 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 61 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 62 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 63 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 64 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 65 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 66 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 67 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 68 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 69 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 69(4)(a) words substituted by S.R. 2013/36 Sch. para. 6
- reg. 70 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 71 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 72 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 72(c)(d) inserted by S.R. 2010/348 Sch. 1 para. 39(3)
- reg. 72(c) word substituted by S.I. 2013/2318 Sch. para. 109(4)(a)(ii)
- reg. 72(c) words substituted by S.I. 2013/2318 Sch. para. 109(4)(a)(i)
- reg. 72(c)(i) word substituted by S.I. 2013/2318 Sch. para. 109(4)(b)
- reg. 72(c)(ii) word substituted by S.I. 2013/2318 Sch. para. 109(4)(c)(ii)
- reg. 72(c)(ii) words substituted by S.I. 2013/2318 Sch. para. 109(4)(c)(i)
- reg. 72(d) omitted by S.I. 2013/2318 Sch. para. 109(5)
- reg. 72(aa)(ab) inserted by S.R. 2010/348 Sch. 1 para. 39(2)
- reg. 72(aa) word substituted by S.I. 2013/2318 Sch. para. 109(2)(a)(ii)
- reg. 72(aa) words substituted by S.I. 2013/2318 Sch. para. 109(2)(a)(i)
- reg. 72(aa)(i) word substituted by S.I. 2013/2318 Sch. para. 109(2)(b)
- reg. 72(aa)(ii) word substituted by S.I. 2013/2318 Sch. para. 109(2)(c)(ii)
- reg. 72(aa)(ii) words substituted by S.I. 2013/2318 Sch. para. 109(2)(c)(i)

- reg. 72(ab) omitted by S.I. 2013/2318 Sch. para. 109(3)
- reg. 73 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 74(1)-(8)(10) coming into force by S.R. 2009/79 reg. 1(2)
- reg. 74(9) coming into force by S.R. 2009/79 reg. 1(3)(b)
- reg. 75 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 76 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 77 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 78 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 79 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 80 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 81 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 82 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 83 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 84 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 85 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 86 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 87 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 88 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 89 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 90 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 91 coming into force by S.R. 2009/79 reg. 1(2)
- reg. 91A inserted by S.R. 2013/36 Sch. para. 7
- reg. 92 coming into force by S.R. 2009/79 reg. 1(2)