
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 113

The Police Pensions Regulations (Northern Ireland) 2015

PART 3

Governance

Police pension authority

5. In these Regulations “police pension authority” means—
- (a) for a member of the police service who falls within Regulation 4(1); the Board.
 - (b) for a member of the police service engaged on relevant service under section 27 of the 1998 Act; the Board.

Scheme manager

6.—(1) The police pension authority for a member of the police service is responsible for managing and administering this scheme and any statutory pension scheme that is connected with it(1) in relation to that member.

(2) Pensions and other benefits payable under this scheme are payable by the scheme manager.

(3) A statutory pension scheme that is a defined contributions scheme(2) is not connected with this scheme.

(4) In these Regulations “scheme manager” in relation to a member of the police service means the police pension authority for that member acting in exercise of its functions under paragraph (1).

Scheme manager approval

7. In this Part, “scheme manager approval” means for a Police Pensions Board established to assist the scheme manager, the approval of that scheme manager.

Delegation

8.—(1) The Department may delegate any functions under these Regulations, including this power to delegate.

(2) The scheme manager may delegate any functions under these Regulations, including this power to delegate.

(1) see section 4(6) of the Act which sets out when statutory pension schemes are “connected”;
(2) See section 34 of the Act for the meaning of “defined contributions scheme”;

Scheme manager's obligation to pass on member's records

9.—(1) Paragraph (2) applies if a member of the police service in Northern Ireland who falls within regulation 4(1) (“the NI police service”) becomes a member of a police force in England and Wales (“the England and Wales police force”).

(2) The scheme manager for the NI police service must give the scheme manager for the England and Wales police force within 3 months of the member becoming a member of the England and Wales police force any information or documents required by the scheme manager for that police force for the purpose of—

- (a) the scheme manager's functions under the 2015 England and Wales police pension scheme; or
- (b) records required to be kept by the scheme manager under regulations made under section 16 of the Public Service Pensions Act 2013⁽³⁾.

(3) Paragraph (4) applies if a member of the police service in Northern Ireland who falls within regulation 4(1) (“the NI police service”) becomes a member of the Police Service of Scotland.

(4) The scheme manager for the NI police service must give the scheme manager for the Police Service of Scotland any information or documents required by the scheme manager for the Police Service of Scotland for the purpose of—

- (a) the scheme manager's functions under the 2015 Scotland police pension scheme; or
- (b) records required to be kept by the scheme manager under regulations made under section 16 of the Public Service Pensions Act 2013.

Police Pension Board: establishment

10.—(1) The scheme manager must ensure that a pension board⁽⁴⁾ (“the Police Pension Board”) is established to assist the scheme manager—

- (a) to secure compliance with—
 - (i) these Regulations;
 - (ii) any other legislation relating to the governance and administration of this scheme and any statutory pension scheme that is connected with it; and
 - (iii) any requirements imposed by the Pensions Regulator in relation to this scheme or any statutory pension scheme that is connected with it; and
- (b) in the performance of the scheme manager's functions under these Regulations.

Police Pension Board: membership

11.—(1) Subject to regulation 13 (police pension board: conflicts of interest) the Police Pension Board is to consist of the following members who are to be entitled to vote in its proceedings (“voting members”)

- (a) an independent chair appointed by the scheme manager with departmental approval;
 - (b) at least 4 and no more than 12 persons to be appointed by the chair with scheme manager approval.
- (2) The chair must not be an employer representative nor a member representative⁽⁵⁾.

⁽³⁾ 2013 c.25

⁽⁴⁾ See section 5(8) of the Act for the meaning of “pension board”;

⁽⁵⁾ See section 5(7) of the Act for meaning of “employer representatives” and “member representatives”.

(3) Equal numbers of employer representatives and member representatives must be appointed to the Police Pension Board under paragraph (1)(b), including a departmental finance director, who is to be treated as an employer representative.

(4) The chair with scheme manager approval, may appoint to the Police Pension Board up to 2 independent members, who are not entitled to vote in its proceedings (“non-voting members”).

(5) A member of the Police Pension Board is to hold and vacate office in accordance with the terms of that member’s appointment.

(6) In this regulation, “independent” means neither an employer representative nor a member representative.

(7) In this Regulation “departmental finance director” means —

- (a) an accounting officer appointed by the Department under section 5 of the Government and Resources Accounts Act; or
- (b) a civil servant who has responsibility for the financial management of a government department.

Police Pension Board: procedure

12.—(1) The Police Pension Board may determine its own procedures, subject to scheme manager approval.

(2) If there is a tied vote on any issue, the chair has a casting vote.

Police Pension Board: conflicts of interest

13.—(1) Before appointing, or approving the appointment of, any person under regulation 11, (police pension board: membership) the scheme manager must be satisfied that that person does not have a conflict of interest(6).

(2) The scheme manager must be satisfied from time to time that none of the members of the Police Pension Board has a conflict of interest.

(3) If the scheme manager determines that a member of the Police Pension Board has a conflict of interest, the scheme manager must terminate the appointment of the member.

(4) A member of the Police Pension Board, or a person proposed to be appointed as such a member, must provide the scheme manager with any information the scheme manager may reasonably require for the purpose of paragraph (1) or (2).

Payment of fees and expenses

14. The scheme manager may—

- (a) pay fees to or in respect of members of the Police Pension Board of such amounts as the scheme manager may determine; and
- (b) reimburse members of the Police Pension Board in respect of any reasonable expenses incurred by them in performance of their duties in relation to this scheme.

Scheme advisory board: establishment

15.—(1) A scheme advisory board is established(7).

(6) See section 7(5) of the Act for the meaning of “conflict of interest”

(7) See section 7(6) of the Act for the meaning of “scheme advisory board”.

(2) The scheme advisory board is responsible for providing advice to the Department, at the Department's request, on the desirability of making changes to this scheme.

(3) The scheme advisory board may provide advice (on request or otherwise) to the scheme manager or to the Police Pension Board in relation to the effective and efficient administration and management of this scheme and any statutory pension scheme that is connected with it.

(4) The scheme advisory board may determine its own procedures, subject to the approval of the Department.

Scheme advisory board: membership

16.—(1) Subject to regulation 17 (scheme advisory board: conflicts of interest), the scheme advisory board is to consist of the following members—

(a) a chair appointed by the Department; and

(b) at least 4, and no more than 12, members appointed by the chair with the approval of the Department.

(2) A member of the scheme advisory board is to hold and vacate office in accordance with the terms of that member's appointment.

Scheme advisory board: conflicts of interest

17.—(1) Before appointing a person as a member of the scheme advisory board, the Department must be satisfied that that person does not have a conflict of interest⁽⁸⁾.

(2) The Department must be satisfied from time to time that none of the members of the scheme advisory board has a conflict of interest.

(3) If the Department determines that a member of the scheme advisory board has a conflict of interest, the Department must terminate the appointment of the member.

(4) A member of the scheme advisory board, or a person proposed to be appointed as such a member, must provide the Department with any information the Department may reasonably require for the purpose of paragraph (1) or (2).

(8) See section 7(5) of the Act for the meaning of "conflicts of interest"