

## SCHEDULE 1

### AMENDMENTS OF THE POLICE PENSIONS REGULATIONS 1987

#### *Payments to enhance widowers' awards*

1.—(1) Regulation G6 (payments by women members to enhance widowers' awards) is amended as follows.

(2) In paragraph (4) for “by reference” onwards substitute— “by reference—

- (a) to the whole of the woman’s pensionable service reckonable by reason of service or employment before 17th May 1990 (see column 1 of the Table); and
- (b) to the woman’s pensionable pay or, in the case of a woman in part time service, the pay that would be her pensionable pay if she were a full-time member of the police force (see columns 2 and 3 of the Table).”.

(3) After paragraph (4A) insert—

“(4B) Where a woman has made an election under this regulation to pay additional contributions by periodical payments before the date on which the Police Pensions (Part time Service) Amendment (Scotland) Regulations 2005 come into force and is in part time service on that date, the payments payable by her shall, subject to paragraph (4C), increase from that date to such amount as is appropriate as a result of paragraph (4)(b).

(4C) Such a woman may vary the election by notice in writing to the police authority given within the period of 3 months beginning with the date on which the Police Pensions (Part time Service) Amendment (Scotland) Regulations 2005 come into force, and that variation shall take effect as from that date.

(4D) Where—

- (a) a woman has made or makes such an election while she is in full-time service; and
- (b) her service becomes part time on or after the date on which the Police Pensions (Part time Service) Amendment (Scotland) Regulations 2005 come into force,

any contributions she is making under the election by periodical payments shall, from the date on which her service becomes part time and subject to paragraph (4E), increase to such amount as is appropriate as a result of paragraph (4)(b).

(4E) Such a woman may vary the election by notice in writing to the police authority given within the period of 3 months beginning with the date on which the service becomes part time, and that variation shall take effect as from that date.

(4F) Where a woman makes such an election on or after the date on which the Police Pensions (Part time Service) Amendment (Scotland) Regulations 2005 come into force and she is in part time service on that date, she shall notify the police authority in writing that either—

- (a) the contributions payable by her as a lump sum or by periodical payments are to be payable at the same amount of her pay as if she were in full-time service; or,
- (b) those contributions are to be payable in accordance with paragraph (4H).

(4G) Where a woman varies an election under this regulation, the contributions payable by her by periodical payments shall, from the date when the election takes effect, continue to be payable at the same percentage of her pay as before the variation, but the period of the woman’s pensionable service counting as mentioned in paragraph (1) shall be given by the formula—

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$$P \times V \\ F'$$

where—

P is the period that would be the period in years of her pensionable service if periods of part time service were reckonable as if they were periods of full-time service;

V is the amount of contributions paid by periodical payments; and

F is the amount of contributions that would have been paid by periodical payments had there been no election.

(4H) Where a woman makes a notification under paragraph (4F)(b), the contributions payable by her as a lump sum or by periodical payments shall be payable at the same percentage of her pay as if she were in full-time service, but the period of the woman's pensionable service counting as mentioned in paragraph (1) shall be given by the formula set out in paragraph (4G), save that references to contributions paid by periodical payments shall include references to contributions paid as a lump sum.”

(4) After paragraph 13 insert—

“(13A) Periodical payments also cease to be payable if the police authority are satisfied that their payment in accordance with the election is causing or is likely to cause financial hardship and have consented to the discontinuance of the payments for such period as they think fit.”