
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 80

**POLICE
PENSIONS**

**The Police Pensions (Commutation)
Amendment (Scotland) Regulations 2022**

<i>Made</i>	- - - -	<i>1st March 2022</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>3rd March 2022</i>
<i>Coming into force</i>	- -	<i>1st April 2022</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 1 of the Police Pensions Act 1976(1) and all other powers enabling them to do so.

In accordance with section 1(1) of that Act, they have consulted with the Police Negotiating Board for the United Kingdom(2).

Citation and commencement

1.—(1) These Regulations may be cited as the Police Pensions (Commutation) Amendment (Scotland) Regulations 2022 and come into force on 1 April 2022.

(2) These Regulations extend to Scotland only.

Amendment of the Police Pension Regulations 1987

2.—(1) The Police Pension Regulations 1987(3) are amended as follows.

(2) In regulation B7 (commutation—general provision)—

(a) in sub-paragraph (4)(a)(iii), omit “and”,

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- (1) 1976 c. 35. Section 1 was amended by section 2(3) of the Police Negotiating Board Act 1980 (c. 10), section 1(1) of the Police and Firemen’s Pensions Act 1997 (c. 52) and paragraph 129 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13). These powers were extended by section 42 of the Welfare Reform and Pensions Act 1999 (c. 30). The functions of the Secretary of State as regards Scotland were transferred to the Scottish Ministers by the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750), article 2 and Schedule 1. The requirement for consent by the Minister for the Civil Service under section 1 was transferred to the Treasury by virtue of S.I. 1981/1670, and such consent is not required in the exercise by the Scottish Ministers of the transferred functions by virtue of S.I. 1999/1750 and section 63 of the Scotland Act 1998 (c. 46).
- (2) Section 61 of the Police Act 1996 (c. 16) contains provision relevant to the Police Negotiating Board for the United Kingdom.
- (3) S.I. 1987/257, relevantly amended by S.S.I. 2010/85 and 2015/174.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) omit sub-paragraph (4)(b),
- (c) omit paragraph (4A),
- (d) in paragraph (7A)(a), omit “and before 1st April 2022”.

St Andrew’s House,
Edinburgh
1st March 2022

TOM ARTHUR
Authorised to sign on behalf of the Scottish
Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Pension Regulations 1987 to remove the restriction on commutation of pension for officers who retire with an ordinary pension after less than 30 years' pensionable service and are below voluntary retirement age. They also remove the end date on the underpin which exists to allow Scottish officers to use actuarial factors calculated by the Scheme Actuary in England & Wales, if they are higher.

No business and regulatory impact assessment has been produced for this instrument as no impact on business, charities or voluntary bodies is foreseen.