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 STATUTORY INSTRUMENTS
 

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## 1987 No. 256

## POLICE

 The Police Pensions (Supplementary Provisions)  
 Regulations 1987

<i>Made</i>	- - -	<i>20th February 1987</i>
<i>Laid before Parliament</i>		<i>9th March 1987</i>
<i>Coming into force</i>	-	<i>1st April 1987</i>

In exercise of the powers conferred on me by sections 1 to 8 of the Police Pensions Act 1976(a), and after consultation with the Police Negotiating Board for the United Kingdom, I hereby, with the consent of the Treasury(b), make the following Regulations:—

**Citation and commencement**

1. These Regulations may be cited as the Police Pensions (Supplementary Provisions) Regulations 1987 and shall come into force on 1st April 1987.

**Revocation and amendment of the Police Pensions Regulations 1973**

2. The Police Pensions Regulations 1973(c) and the other Regulations specified in Part I of Schedule 1 hereto are hereby revoked to the extent there mentioned but, in respect of any period beginning on or after 1st April 1972 and ending before the coming into force of these Regulations, the said Regulations of 1973 as from time to time in force shall have effect subject to the amendment set out in Part II of that Schedule.

**Commencement of the Police Pensions Regulations 1987 and transitional provisions**

3. The Police Pensions Regulations 1987(d) shall come into force on 1st April 1987 and shall have effect subject to the transitional provisions set out in Part III of Schedule 1 hereto.

**Old cases Regulations**

4. The old cases Regulations, that is to say the Regulations set out in Part I of Schedule 2 hereto, shall, subject to the amendment contained in Part II of that Schedule, continue to apply in the case of an award or payment to or in respect of, or relating to—

- (a) a person who retired or otherwise ceased to be a member of a police force before 1st April 1972, or
- (b) a person, being a serviceman who did not resume service as a regular policeman, whose period of relevant service in the armed forces ended before 1st April 1972,

including an award on the death of such a person on or after the said date.

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(a) 1976 c. 35, as amended by section 2(3) of the Police Negotiating Board Act 1980 (c. 10).

(b) Formerly the Minister for the Civil Service; see S.I. 1981/1670.

(c) S.I. 1973/428.

(d) S.I. 1987/257.

**War Service Regulations**

5. The Police Pensions (War Service) Regulations 1979(a) shall have effect subject to the amendments set out in Schedule 3 hereto.

**War Service (Transferees) Regulations**

6. The Police Pensions (War Service) (Transferees) Regulations 1985(b) shall have effect subject to the amendments set out in Schedule 4 hereto.

**Injury Benefit Regulations**

7. The Police (Injury Benefit) Regulations 1987(c) shall have effect subject to the amendments set out in Schedule 5 hereto.

**Provisions supplemental to Regulations 5, 6 and 7**

8.— (1) In accordance with Regulations 5, 6 and 7 of these Regulations, the Police Pensions Regulations 1987 shall have effect subject to the provisions of the Regulations amended thereby.

(2) Anything done before the coming into force of these Regulations under or for the purposes of the Regulations amended by Regulation 5, 6 or 7 thereof shall have effect as if done under or for the purposes of the Regulations in question as so amended.

*Douglas Hurd*

One of Her Majesty's Principal Secretaries of State

Home Office  
6th February 1987

We consent

*Peter Lloyd*  
*Michael Neubert*

Two of the Lords Commissioners of Her Majesty's Treasury

20th February 1987

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(a) S.I. 1979/1259.  
(b) S.I. 1985/2029.  
(c) S.I. 1987/156.

## SCHEDULE 1

## Regulation 2

## PART I

## REGULATIONS REVOKED

Instrument	Reference	Extent of revocation
The Police Pensions Regulations 1973	S.I. 1973/428	The whole instrument
The Police Pensions (Transitory Provisions) Regulations 1973	S.I. 1973/429	The whole instrument
The Police Pensions (Amendment) Regulations 1974	S.I. 1974/1533	Regulation 8 and, to the extent that it relates to the Police Pensions Regulations 1973 ("the Regulations of 1973"), Regulation 9
The Police Pensions (Amendment) (No. 2) Regulations 1974	S.I. 1974/1673	The whole instrument
The Police Pensions (Amendment) (No. 3) Regulations 1974	S.I. 1974/1796	Regulation 7 and, to the extent that they amend the Regulations of 1973, Regulations 4, 5 and 8
The Police Pensions (Amendment) Regulations 1975	S.I. 1975/1718	Regulations 4 and 8 and, to the extent that they amend the Regulations of 1973, Regulations 5, 6 and 9
The Police Pensions (Amendment) Regulations 1976	S.I. 1976/306	The whole instrument
The Police Pensions (Amendment) (No. 2) Regulations 1976	S.I. 1976/1707	Regulation 7 and, to the extent that they amend the Regulations of 1973, Regulations 4, 5 and 8
The Police Pensions (Amendment) Regulations 1977	S.I. 1977/1705	Regulation 7 and, to the extent that they amend the Regulations of 1973, Regulations 4, 5 and 8
The Police Pensions (Amendment) (No. 2) Regulations 1977	S.I. 1977/2173	The whole instrument
The Police Pensions (Amendment) Regulations 1978	S.I. 1978/375	The whole instrument
The Police Pensions (Amendment) (No. 2) Regulations 1978	S.I. 1978/1348	The whole instrument
The Police Pensions (Amendment) (No. 3) Regulations 1978	S.I. 1978/1578	Regulation 7 and, to the extent that they amend the Regulations of 1973, Regulations 4, 5 and 8

SCHEDULE 1 (*continued*)

Instrument	Reference	Extent of revocation
The Police Pensions (Amendment) Regulations 1979	S.I. 1979/406	The whole instrument
The Police Pensions (Amendment) (No. 2) Regulations 1979	S.I. 1979/1287	Regulations 5, 6 and 9 and, to the extent that they amend the Regulations of 1973, 4, 7 and 10
The Police Pensions (Amendment) Regulations 1980	S.I. 1980/82	The whole instrument
The Police Pensions (Amendment) (No. 2) Regulations 1980	S.I. 1980/272	The whole instrument
The Police Pensions (Amendment) (No. 3) Regulations 1980	S.I. 1980/1616	Regulations 6, 9, 10 and 13 and, to the extent that they amend the Regulations of 1973, Regulations 3, 4 and 7
The Police Pensions (Amendment) Regulations 1982	S.I. 1982/1151	The whole instrument
The Police Pensions (Amendment) Regulations 1983	S.I. 1983/996	The whole instrument
The Police Pensions (Amendment) Regulations 1985	S.I. 1985/156	The whole instrument
The Police Pensions (Amendment) Regulations 1986	S.I. 1986/1379	The whole instrument

## PART II

## Regulation 2

## AMENDMENT OF THE POLICE PENSIONS REGULATIONS 1973

In paragraph 1 of Part II of Schedule 3 to the Police Pensions Regulations 1973 (transitional modifications of provisions relating to a widow's pension) the following provision shall be inserted after sub-paragraph (2)(a), namely:—

“(aa) section 10 of the Police Pensions Act 1921(a), or”.

## Regulation 3

## PART III

## TRANSITIONAL PROVISIONS

1. The Police Pensions Regulations 1987 shall have effect as if anything done, or treated as done, under or for the purposes of the Police Pensions Regulations 1973 had been done under or for the purposes of the corresponding provision of the said Regulations of 1987.

2. Without prejudice to the generality of paragraph 1 references therein to anything done shall include—

- (a) the determination of a question;
- (b) the exercise of a discretion;
- (c) the decision that a provision should apply;
- (d) the making of a payment;
- (e) the giving of a notice; and
- (f) the commutation or allocation of a portion of a pension.

## SCHEDULE 2

## Regulation 4

## PART I

## OLD CASES REGULATIONS

Instrument	Reference
The Police Pensions Regulations 1971	S.I. 1971/232
The Police Pensions (Amendment) Regulations 1971	S.I. 1971/583
The Police Pensions (Amendment) (No. 2) Regulations 1971	S.I. 1971/1327
The Police Pensions (Amendment) (No. 3) Regulations 1971	S.I. 1971/1466
The Police Pensions (Amendment) Regulations 1972	S.I. 1972/1642
The Police Pensions (Lump Sum Payments to Widows) Regulations 1986	S.I. 1986/1380
<i>So far as they are not revoked by Regulation 2:—</i>	
The Police Pensions (Amendment) Regulations 1974	S.I. 1974/1533
The Police Pensions (Amendment) (No. 3) Regulations 1974	S.I. 1974/1796
The Police Pensions (Amendment) Regulations 1975	S.I. 1975/1718
The Police Pensions (Amendment) (No. 2) Regulations 1976	S.I. 1976/1707
The Police Pensions (Amendment) Regulations 1977	S.I. 1977/1705
The Police Pensions (Amendment) (No. 3) Regulations 1978	S.I. 1978/1578
The Police Pensions (Amendment) (No. 2) Regulations 1979	S.I. 1979/1287
The Police Pensions (Amendment) (No. 3) Regulations 1980	S.I. 1980/1616

SCHEDULE 2 (*continued*)

## PART II

## Regulation 4

## AMENDMENT OF OLD CASES REGULATIONS

At the end of Part IX of the Police Pensions Regulations 1971 there shall be added the following Regulation:—

*“Transfer value payable under inter-change arrangements—application of Regulation F9 of the Police Pensions Regulations 1987*

82A. — (1) If the police authority so determine in the case of a particular regular policeman—

- (a) who retired on or after 5th July 1948,
- (b) in whose case a transfer value, calculated in accordance with these or the former Regulations has not been paid,

Regulation F9 of the Police Pensions Regulations 1987 (“the Regulations of 1987”) and Sections 1 and 3 of Part II of Schedule F thereto shall have effect as if set out herein but subject to the exceptions and modifications mentioned in paragraphs (2) and (3) and any other necessary modifications.

(2) Regulation F9 of the Regulations of 1987 shall have effect for the purposes hereof as hereinafter provided, namely, as if—

- (a) in paragraph (1)(a) after the word “who” there were inserted the word “retired” and the words “retires or retired on or after 1st April 1972” were omitted, and
- (b) the requisite payment mentioned in paragraph (5)(b) were one of an amount equal to that of the policeman’s award mentioned in paragraph (1)(a)(ii) when increased by an amount equal to compound interest thereon at the rate of 6% per annum, calculated with yearly rests, in respect of the period before 1st January 1974 beginning with the date he received the award.

(3) Section 1 of Part II of Schedule F to the Regulations of 1987 shall have effect for the purposes hereof as hereinafter provided, namely—

- (a) subject as hereinafter provided, the notional pensions referred to in paragraph 1(1)(b) and (c) shall be calculated in accordance with the Regulations of 1987 but by reference to—
  - (i) the policeman’s average pensionable pay within the meaning of these Regulations, or
  - (ii) in the case of a policeman who retired before 1st July 1949, his pensionable pay within the meaning of the Police Pensions Regulations 1948 or the Police Pensions (Scotland) Regulations 1948;
- (b) where immediately before his retirement the policeman was paying pension contributions at a rate related to 5% of his pensionable pay, the widow’s notional accrued pension referred to in paragraph 1(1)(c) shall not be less than would have been the widow’s ordinary pension which would have been payable to his widow under these or the former Regulations (as in force at the time of his retirement) had he died when he retired in circumstances entitling her to such an award, calculated however at the flat rate specified in Scheme I of the appropriate provision of the Regulations in question (as then in force);
- (c) where immediately before his retirement the policeman was paying pension contributions at a rate related to 6.25% of his pensionable pay, the widow’s notional accrued pension shall be calculated as if, at the time of his retirement—
  - (i) Regulation 57 of the Police Pensions Regulations 1973 had been in force in place of such of the relevant provisions, as defined in paragraph (2) of the said Regulation 57, as were then in force, and
  - (ii) paragraph 2 of Part VIII of Schedule B to the Police Pensions Regulations 1987 had been in force in place of the corresponding provisions of these or the former Regulations, as were then in force,

and, accordingly, for the purposes of that calculation any additional contributions that he may have paid or any reduction that may have fallen to be made under the said relevant or corresponding provisions shall be deemed to have been paid or have fallen to be made under the said Regulation 57 or paragraph 2, as the case may be, and

- (d) the reference in paragraph 6 to Part I of Schedule F shall be construed as a reference to the corresponding provision of these or the former Regulations (as in force immediately before he ceased to be a member of his former force).

(4) This Regulation shall have effect as if anything done under or for the purposes of Regulation 85 of the Police Pensions Regulations 1973 as it had effect by virtue of paragraph (4) thereof had been done under or for the purposes of this Regulation.”.

## Regulation 5

## SCHEDULE 3

## AMENDMENT OF THE POLICE PENSIONS (WAR SERVICE) REGULATIONS 1979

In the provisions of the Police Pensions (War Service) Regulations 1979 specified in the first column of the following Table, for the words set out opposite thereto in the second column of that Table there shall be substituted the words so set out in the third column thereof.

TABLE

Provision amended	Existing words	Substituted words
Regulation 3(1)	“the Police Pensions Regulations 1973”	“the Police Pensions Regulations 1987”
Regulation 7(2)	“Regulation 85”	“Regulation F9”
Regulation 9(5)	“Regulation 85”, in both places where the words occur	“Regulation F9”
Regulation 11	“Part VIII of Schedule 2”	“Part VIII of Schedule B”
Regulation 12(1)	“Part IV of Schedule 3”	“paragraph 8 of Part II of Schedule J”
Regulation 12(2)	“Part IV of Schedule 3 and Part III of Schedule 4”	“paragraph 8 of Part II and paragraph 3 of Part III of Schedule J”
Regulation 12(2)(a)	“sub-paragraphs (a) and (b) of paragraph 1(1) of the said Part IV”	“entries (a) and (c) in Table A in paragraph 7(3) of the said Part II”
Regulation 13(1)	“has allocated a portion of his pension under Regulation 25”	“has, or is treated as having, allocated a portion of his pension under Regulation B9”
Regulation 13(2)(a)	“allocated as provided in Regulation 25”	“allocated, or is treated as having allocated, as provided in Regulation B9”
Regulation 13(3)	“given thereunder”	“given or treated as given thereunder”
Regulation 14(1)(a)	“sub-paragraphs (a), (b), (d) or (e) of Regulation 21(1) of the principal Regulations”	“Regulation B2(1) of the principal Regulations or in circumstances treated as such by paragraph 5(3) or 6(2) of Part VII of Schedule J to those Regulations”

TABLE (continued)

Provision amended	Existing words	Substituted words
Regulation 14(2)	“Regulation 24”, where the words first occur	“Regulation B7”
Regulation 14(3)(b)	“the principal Regulations”	“the Police Pensions Regulations 1973”
Regulation 15(2)	“commuted for a lump sum, as provided in Regulation 24”	“commuted for a lump sum, or is treated as having so commuted, as provided in Regulation B7”
	“the said Regulation 24”	“the said Regulation B7”
	“given thereunder”	“in question”
	“paragraph (6)”	“paragraph (7)”
Regulation 15(3)	“Regulation 24 of the principal Regulations as applied by Regulation 14”	“for the purposes of Regulation B7 of the principal Regulations, Regulation 24 of the Police Pensions Regulations 1973, as applied by Regulation 14 as originally made,”
Paragraph 2(a) of Part II of the Schedule	“it shall be calculated without regard to”	“or the Police Pensions Regulations 1973, it shall be calculated without regard to Regulation E8 of the principal Regulations or, in the case of the said Regulations of 1973, without regard to”
Paragraph 2(b) of the said Part II	“Part XIII of the principal Regulations”	“Regulation E9 of the principal Regulations or in accordance with Part XIII of the Police Pensions Regulations 1973”



## Regulation 6

## SCHEDULE 4

AMENDMENTS TO THE POLICE PENSIONS  
(WAR SERVICE) (TRANSFEREES) REGULATIONS 1985

In the provisions of the Police Pensions (War Service) (Transferees) Regulations 1985 specified in the first column of the following Table, for the words set out opposite thereto in the second column of that Table there shall be substituted the words so set out in the third column thereof.

TABLE

Provisions amended	Existing words	Substituted words
Regulation 2(1)	“which”	“as amended by Regulation 4 of the Police Pensions (Supplementary Provisions) Regulations 1987; and the said Regulations of 1979 which”
Regulation 2(3)	“the Police Pensions Regulations 1973” and “the said Regulations of 1973”	“the Police Pensions Regulations 1987” and “the said Regulations of 1987”, respectively.
Regulation 4(1)(b)	“the principal Regulations or, as the case may be, the old cases Regulations”	“the former Regulations”
Regulation 6(1)(d)	“the principal Regulations or, as the case may be, the old cases Regulations”	“the former Regulations”
Regulation 8(1)(b)	“paragraph 1(1) of Part IV of Schedule 3”	“paragraph 7(2) of Part II of Schedule J”
Regulation 8(2)(a)	“Regulation 27(3) and paragraph 4 of Part I of Schedule 4”	“paragraphs 3, 4 and 5 of Part II and paragraph 2 of Part III of Schedule J”
Regulation 8(2)(b)	“Part IV of Schedule 3”	“paragraph 8 of Part II of Schedule J”
Regulation 9(2)(b)	“Regulation 85” and “previous Regulations”	“Regulation F9” and “former Regulations”, respectively
Regulation 11(c)	“paragraph 8(2) of Part I of Schedule 9”	“paragraph 9(2) of Section 1 of Part II of Schedule F”

## SCHEDULE 5

## Regulation 7

## AMENDMENTS TO THE POLICE (INJURY BENEFIT) REGULATIONS 1987

In the provisions of the Police (Injury Benefit) Regulations 1987 specified in the first column of the following Table, for the words set out opposite thereto in the second column of that Table there shall be substituted the words so set out in the third column thereof.

TABLE

Provisions amended	Existing words	Substituted words
Regulation 3(1)	“Police Pensions Regulations 1973”	“Police Pensions Regulations 1987”
Regulation 3(2)	“Regulation 13(3)” “Regulation 13(1)”	“Regulation A12(3)” “Regulation A12(1)”
Regulation 5(2)	“Regulation 71”	“Regulation H1”
Regulation 5(3)	“Regulation 33(2) or 34” “Regulation 28” “Regulation 42” “Regulation 38” “Regulation 36”	“Regulation C5(2) or C8” “Regulation C2” “Regulation D5(1), (3), (4) or (5)” “Regulation D2” “Regulation E1”
Regulation 7(1)	“paid to him under Regulation 20(4), 21(4) or 22”	“paid, or treated as paid, to him under Regulation B2(4), B3(4) or B4”
Regulation 7(2)	“paid to the member or his estate under Regulation 20(4), 21(4), 22 or 43” “Regulation 28(2)”, in both places where the words occur “Regulation 29(3)” “Regulation 29” “Regulation 20” “Regulation 39” “Regulation 43”	“paid, or treated as paid, to the member or his estate under Regulation B2(4), B3(4), B4 or E3” “Regulation C2(2)” “Regulation C3(2)” “Regulation C3” “Regulation B3” “Regulation D3” “Regulation E2”
Regulation 10(2)	“Regulation 22” “Regulation 28” “Regulation 39” “Regulation 43”	“Regulation B4” “Regulation C2” “Regulation D3” “Regulation E2”
Regulation 10(3)	“Part VIII (determination of questions)” “Regulation 71(2)”	“Part H (appeals and medical questions)” “Regulation H1(2)”

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations come into force on 1st April 1987 and are supplementary to the Police Pensions Regulations 1987, "the principal Regulations", (which consolidate, with amendments, the Police Pensions Regulations 1973, as amended).

Regulation 2 revokes the 1973 Regulations and the other Regulations specified in Part I of Schedule 1 but provides for the application of those Regulations, as amended by Part II of Schedule 1, in respect of any period between 1st April 1972 and the date of commencement of these Regulations (retrospection is authorised by section 1(5) of the Police Pensions Act 1976). Regulation 3 brings the principal Regulations into force, subject to the transitional provisions in Part III of Schedule 1, on the same date as these Regulations, in compliance with section 8 of the Police Pensions Act 1976.

Regulation 4 and Schedule 2 continue in force the Police Pensions Regulations 1971 and the other Regulations there specified (subject to the amendment in Part II of that Schedule) in respect of persons whose service ended before 1st April 1972.

Regulations 5 to 7 and Schedules 3 to 5 amend the Police Pensions (War Service) Regulations 1979, the Police Pensions (War Service) (Transferees) Regulations 1985 and the Police (Injury Benefit) Regulations 1987 to take account of the principal Regulations; Regulation 8 provides for the principal Regulations to have effect subject to those Regulations and for the continuance in effect of things done under those Regulations before the commencement of these Regulations.