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STATUTORY INSTRUMENTS

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**1987 No. 257**

**The Police Pensions Regulations 1987**

**Part K**

**Revision and Withdrawal or Forfeiture of Awards**

**Forfeiture of pension**

**K5.**—(1) This Regulation shall apply to a pension payable to or in respect of a member of a police force under Part B or C or under Regulation E(1) (*adult dependent relative's special pension*).

(2) Subject to paragraph (5), a police authority responsible for payment of a pension to which this Regulation applies may determine that the pension be forfeited, in whole or in part and permanently or temporarily as they may specify, if the pensioner has been convicted of an offence mentioned in paragraph (3) and, in the case of a widow's pension, that offence was committed after the death of the pensioner's husband.

(3) The offences referred to in paragraph (2) are—

- (a) an offence of treason;
- (b) one or more offences under the Official Secrets Acts 1911 to 1939<sup>(1)</sup> for which the grantee has been sentenced on the same occasion to a term of imprisonment of, or to two or more consecutive terms amounting in the aggregate to, at least 10 years.

(4) Subject to paragraph (5), a police authority responsible for payment to a member of a police force of a pension to which this Regulation applies may determine that the pension be forfeited, in whole or in part and permanently or temporarily as they may specify, if the grantee has been convicted of an offence committed in connection with his service as a member of a police force which is certified by the Secretary of State either to have been gravely injurious to the interests of the State or to be liable to lead to serious loss of confidence in the public service.

(5) In the case of a pension to which this Regulation applies, other than an injury pension, the police authority in determining whether a forfeiture should be permanent or temporary and affect a pension in whole or in part, may make different determinations in respect of the secured and unsecured portions of the pension; but the secured portion of such a pension shall not be forfeited permanently and may be only forfeited temporarily for a period expiring before the grantee attains state pensionable age or for which he is imprisoned or otherwise detained in legal custody.

(6) To the extent to which a pension is forfeited under this Regulation, the police authority shall be discharged from all actual or contingent liability in respect thereof.

(7) The provisions of section 4(1) and (2) of the Police Pensions Act 1948<sup>(2)</sup>, as they have effect by virtue of section 12(2) of the Police Pensions Act 1976<sup>(3)</sup> (*forfeiture of pensions*), shall not apply in relation to an award under these Regulations.

(8) This Regulation has effect subject to Regulation J1(6)(c).

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<sup>(1)</sup> 1911 c. 28, 1920 c. 75, 1939 c. 121.

<sup>(2)</sup> 1948 c. 24.

<sup>(3)</sup> 1976 c. 35.

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

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