

SCHEDULE B

Personal Awards

Regulations B1, B2, B3 and B5

Part VII

Reduction of Pension at State Pensionable Age

Pension modifications connected with state flat-rate retirement benefit

1.—(1) Where, in respect of service as a regular policeman or as a member of the Royal Ulster Constabulary before 1st April 1980, a person has paid pension contributions at a rate of 6p a week (or 1s. 2d. a week) less than the appropriate percentage of his pensionable pay then, in respect of any period beyond state pensionable age, the unsecured portion of any ordinary, short service, ill-health or deferred pension payable to him shall be reduced in accordance with sub-paragraph (2) or, as the case may be, sub-paragraph (3).

(2) In the case of a person who paid contributions as aforesaid by reason of the giving of a notice—

- (a) under Regulation 41(3) of the Police Pensions Regulations 1948(1);
- (b) under Regulation 43(3) of the Police Pensions (Scotland) Regulations 1948(2), or
- (c) without prejudice to the generality of Regulation J2(2), under any corresponding provision of the Royal Ulster Constabulary pensions legislation,

the reduction under sub-paragraph (1) shall be calculated at an annual rate obtained by multiplying the sum in the second column of the following Table set opposite to the age in the first column of the said Table which he had attained at the appropriate date by the number of years specified in sub-paragraph (4):—

Table

| Age in years at appropriate date | Sums to be multiplied £ |
|----------------------------------|----------------------------|
| Under 23 | 1.70 |
| 23 | 1.65 |
| 24 | 1.60 |
| 25 | 1.55 |
| 26 | 1.525 |
| 27 | 1.50 |
| 28 | 1.475 |
| 29 | 1.45 |
| 30 | 1.425 |
| 31 | 1.40 |

(1) S.I. 1948/1531.

(2) S.I. 1948/1530.

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| Age in years at appropriate date | Sums to be multiplied £ |
|----------------------------------|----------------------------|
| 32 | 1.375 |
| 33 | 1.35 |
| 34 | 1.325 |
| 35 | 1.30 |
| 36 | 1.30 |
| 37 | 1.275 |
| 38 | 1.25 |
| 39 | 1.25 |
| 40 | 1.225 |
| 41 | 1.225 |
| 42 | 1.20 |
| 43 | 1.20 |
| 44 or over | 1.175 |

In this sub-paragraph the expression “appropriate date” means, subject to sub-paragraph (5), 5th July 1948, or, in the case of a person who was then an auxiliary policeman, the date on which he first thereafter became a regular policeman.

(3) In the case of a person who paid contributions as aforesaid, otherwise than as mentioned in sub-paragraph (2), the reduction under sub-paragraph (1) shall be calculated at an annual rate obtained by multiplying £1.70 by the number of years specified in sub-paragraph (4).

(4) The number of years referred to in sub-paragraph (2) or (3) is, subject to the following sub-paragraphs, the period in years of service before 1st April 1980 either as a regular policeman or as a member of the Royal Ulster Constabulary in respect of which the person concerned paid pension contributions at such a rate as is mentioned in sub-paragraph (1):

Provided that there shall be excluded from the said period any period or periods—

- (a) by reason of which the person concerned is not entitled to reckon pensionable service for the purposes of the pension in question, or
- (b) which fell after the date on which the person concerned would have been entitled, if he had retired, to a pension equal to two thirds of his average pensionable pay.

(5) In the case of a person who—

- (a) first became a regular policeman on or after 1st January 1963;
- (b) before 1st April 1980 became entitled to reckon pensionable service by reason of service or employment (otherwise than as a member of a police force or of the Royal Ulster Constabulary) in respect of which he was subject to superannuation arrangements (“the former service”);
- (c) was subject to the operation of any regulations made under section 69(4) of the National Insurance Act 1946(3) or section 110(1) of the National Insurance Act 1965(4) or of other

(3) 1946 c. 67.
 (4) 1965 c. 51.

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provisions modifying those superannuation arrangements in connection with the passing of the said Act of 1946 (“the modifications”), and

(d) is entitled to reckon that pensionable service for the purposes of the pension in question, the period in years specified in sub-paragraph (4) shall be increased by that period of pensionable service and, if he was subject to the modifications by virtue of an election made or notice given, the expression “appropriate date” in sub-paragraph (2) shall mean the date on which that election or notice became effective:

Provided that where only a proportion of the former service would have been taken into account for the purposes of the modifications, only that proportion of the pensionable service reckonable by virtue thereof shall be taken into account in determining the increase hereunder in the period specified in sub-paragraph (4).

Pension modifications connected with state graduated retirement benefit

2.—(1) Where a person in receipt of an ordinary, short service, ill-health or deferred pension has been in service or employment otherwise than as a regular policeman—

- (a) in respect of which he was subject to superannuation arrangements;
- (b) by reason of which he is entitled to reckon pensionable service for the purposes of the pension; and
- (c) the period of which includes a participating period of relevant employment,

then, for the purpose of abating the pension in relation to that participating period of relevant employment, any provision of the said arrangements in operation when he left the said service or employment the effect of which is that pensions payable thereunder are to be reduced in connection with the operation of the National Insurance Act 1959⁽⁵⁾ or of any provision of the National Insurance Act 1965 relating to graduated contributions or graduated retirement benefit shall apply, subject to the necessary adaptations and modifications, as though the provision were contained in this paragraph and as if—

- (i) the pension were payable under the said arrangements, and
- (ii) any other period of service or employment by reason of which he is entitled to reckon pensionable service for the purposes of the pension were a period of non-participating employment at the end of which no payment in lieu of contributions falls to be made.

(2) A police authority, in determining any question arising under sub-paragraph (1) and relating to a particular service or employment, shall be entitled to treat as conclusive any relevant certificate issued, with the agreement of the person concerned, by his employer in that service or employment.

(3) Where for the purposes of the superannuation arrangements applicable to such service or employment as is mentioned in sub-paragraph (1) the person concerned was entitled to reckon service by reason of some previous service or employment, that previous service or employment shall be treated for the purposes of this paragraph as if it were part of the service or employment first mentioned in this sub-paragraph.

3.—(1) Where a person in receipt of an ordinary, short service, ill-health or deferred pension is entitled to reckon pensionable service for the purposes thereof by reason of a period of service as a regular policeman which is a participating period of relevant employment then, in respect of any period beyond state pensionable age, the unsecured portion of that pension shall be reduced in accordance with sub-paragraph (2).

(5) 1959 c. 47.

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(2) The reduction shall be calculated at the annual rate which is that of the graduated retirement benefit which would be payable to the pensioner, on the assumption that he retired from regular employment on attaining state pensionable age, in return for a payment in lieu of contributions in respect of the whole of the period referred to in sub-paragraph (1), whether or not such a payment was made.

4.—(1) Where a person in receipt of the secured portion of an ill-health pension, the unsecured portion of which has been terminated in the circumstances mentioned in Regulation K1(4), is also in receipt of some other pension, being an ordinary, short service, ill-health or deferred pension, and is entitled to reckon for the purposes of that other pension the period of pensionable service reckonable for the purposes of the ill-health pension then, in respect of any period beyond state pensionable age, the unsecured portion of that other pension shall be reduced in accordance with sub-paragraph (2).

(2) The reduction shall be calculated at the annual rate which is that of the secured portion of the ill-health pension.