
STATUTORY INSTRUMENTS

2006 No. 3415

The Police Pensions Regulations 2006

PART 9

SPECIAL CASES

Servicemen

Interpretation

88. In regulations 89 to 94—

“relevant service in the reserve forces” means service in pursuance of a training obligation under sections 38, 40 and 41 of the Reserve Forces Act 1980⁽¹⁾ or Part III of the Reserve Forces Act 1996⁽²⁾ or by virtue of a call out for permanent service or a recall under the Reserve Forces Act 1980 or Part VII of the Reserve Forces Act 1996;

“the reserve forces” means those forces specified in section 1(2) of the Reserve Forces Act 1996;

“serviceman” means a person who immediately before undertaking a period of relevant service in the reserve forces was a regular police officer.

Awards to servicemen

89.—(1) Subject to regulation 94, this regulation applies to a serviceman who at the end of his period of relevant service in the reserve forces is or was permanently disabled for the performance of the ordinary duties of a member of the police force.

(2) A serviceman to whom this regulation applies shall be entitled—

- (a) to an ill-health pension under regulation 29 on the same conditions in all respects as if he were such a regular police officer as is mentioned in paragraph (1) of that regulation, or
- (b) where he does not meet the condition specified in regulation 29(3)(a)(i), to an award by way of repayment of his aggregate pension contributions under regulation 34.

Survivors' awards on death of servicemen

90. Subject to regulations 91 and 95, if a serviceman who fulfils the qualifying service criterion—

- (a) dies or has died during his period of relevant service in the reserve forces, or
- (b) having been permanently disabled for the performance of the ordinary duties of a member of the police force at the end of that period (without any intervening period of service as such) dies or has died while in receipt of a pension granted in pursuance of regulation 89(2)
 - (a),

(1) 1980 c. 9.
(2) 1996 c.14.

then—

- (c) an adult survivor of that serviceman (had he been a regular police officer) such as is mentioned in regulation 40(1)(a) shall be entitled to an adult survivor’s pension, and
- (d) a child survivor of that serviceman (had he been a regular police officer) such as is mentioned in regulation 40(1)(b) shall be entitled to a child survivor’s pension,

under regulation 39, on the same conditions in all respects as if he had been a regular police officer who had died in the circumstances mentioned in that regulation.

Prevention of duplication

91. Regulation 49 shall apply in relation to a pension in pursuance of regulation 90 as if, after the words “under regulation 39” in regulation 49, there were inserted the words “or regulation 90”.

Application of regulations 44, 45 and 46

92. In the case of a serviceman—

- (a) who dies while in receipt of a pension or while entitled to a deferred pension, whether or not that pension has come into payment, and whose death results from an injury received during his period of relevant service in the reserve forces, regulation 44 (death gratuities - dependants) shall apply as it applies in the case of a regular police officer who so dies and whose death results from an injury received in the execution of his duty;
- (b) who dies during his period of relevant service in the reserve forces, regulations 45 (death gratuity - estate) and 46 (lump sum death grant) shall apply as they apply in the case of a regular police officer who dies while serving as such.

Servicemen who do not resume service in their former force

93. Where a serviceman who ceased to serve as a regular police officer in order to undertake a period of relevant service in the reserve forces does not or did not resume service in his former force within a month of the end of that period, he shall be treated for the purposes of these Regulations as having ceased to serve as a regular police officer in that force as from the end of his period of relevant service in the reserve forces.

Pensionable service and pension contributions

94.—(1) A serviceman who ceased to serve as a regular police officer in order to undertake a period of relevant service in the reserve forces shall be entitled to reckon that period as pensionable service in his former force, subject, however, to paragraph (2).

(2) Regulations 89, 90 and 92 shall have effect in the case of a serviceman who ceased to serve as a regular police officer in order to undertake a period of relevant service in the reserve forces only if he pays or has paid pension contributions (other than additional or further pension contributions) to the police authority of his former force, as though he had remained a regular police officer in that force, in respect of his period of relevant service in the reserve forces:

Provided that those regulations shall have effect notwithstanding that pension contributions are not or have not been paid as aforesaid by a serviceman in respect of any period during which his service pay is less than his pensionable pay.

(3) In the case of a serviceman who ceased to serve as a regular police officer in order to undertake a period of relevant service in the reserve forces and who immediately before he so ceased to serve was making periodical contributions in accordance with an election under regulation 56 (election to purchase increased benefits)—

- (a) his liability to make those contributions to the police authority shall continue during such period of relevant service in the reserve forces, and
 - (b) regulation 60 shall apply as if, after the words “Part 4” in paragraph (1) of that regulation, there were inserted the words “or Part 9 (servicemen)”
- as though he had remained a regular police officer in his former force.