
STATUTORY INSTRUMENTS

2012 No. 192

The Police (Amendment) Regulations 2012

Amendments to the Police Regulations 2003

7.—(1) Schedule 3 (replacement allowance) is amended as follows.

(2) In paragraph 1(6) (interpretation), at the end of paragraph (c), insert—

“or

(d) a period of ill-health retirement, or

(e) a period of service as a specified employee of SOCA.”.

(3) After paragraph 1(6) insert—

“(6A) In sub-paragraph (6), “period of ill-health retirement” means a period—

(a) commencing when a member of a police force retires with an entitlement to an ill-health award under regulation B3 of the Police Pensions Regulations 1987⁽¹⁾ or with an ill-health pension under regulation 29 of the Police Pensions Regulations 2006⁽²⁾, and

(b) ending when the member rejoins the force in accordance with regulation K1(3) of the Police Pensions Regulations 1987 or regulation 51(4) of the Police Pensions Regulations 2006, as the case may be.”

(4) After paragraph 1(9) insert—

“(10) Where a qualifying member or a re-joining member resides in accommodation which he shares with a specified employee of SOCA falling within sub-paragraph (11), that member shall, for the purposes of this Schedule and the revoked provisions, be treated as if he shared the accommodation with a member of a police force.

(11) A specified employee of SOCA falls within this sub-paragraph if—

(a) before becoming a specified employee of SOCA the employee was a qualifying member or a re-joining member; and

(b) the employee is in receipt of an allowance equivalent to the replacement allowance he would receive if he continued to be a qualifying member or a re-joining member, as the case may be.”.

(5) After paragraph 8 (modification of compensatory allowance), insert—

“Reduced arrears of replacement allowance for re-joining members in receipt of related allowances

9.—(1) This paragraph applies to a replacement allowance payable in respect of a relevant period to a member of a police force who—

(a) is a re-joining member by reason of a relevant absence of a kind mentioned in paragraph 1(6)(d) or (e); and

(1) S.I. 1987/257. Relevant amendments were made by S.I. 1990/805 and S.I. 2004/2354.

(2) S.I. 2006/3415.

- (b) received an allowance referred to in the determinations made by the Secretary of State under regulation 34(1) as a London Allowance or a South East England Allowance in respect of the relevant period.
- (2) The annual rate of a replacement allowance to which this paragraph applies shall be reduced—
 - (a) in the case of a member who received a London Allowance, by an amount calculated by the formula $A - B$, where—
 - (i) A is the annual rate at which the London Allowance was paid to the member; and
 - (ii) B is the annual rate at which the London Allowance would have been paid to the member had it been known, at the time when the London Allowance was paid, that the member was entitled to receive a replacement allowance; and
 - (b) in the case of a member who received a South East England Allowance, by the annual rate of that allowance.
- (3) For the purposes of this paragraph a relevant period is a period—
 - (a) beginning on the day after the last day of the relevant absence; and
 - (b) ending before 23rd February 2012.”.