

STATUTORY INSTRUMENTS

2023 No. 831

The Police Pensions (Remediable Service) Regulations 2023

Part 6

Transfers

[^{F1}Chapter 3A

Transfers on a non-club basis

Textual Amendments

F1 Pt. 6 Ch. 3A inserted (9.2.2024) by [The Police and Firefighters' Pensions \(Remediable Service\) \(Amendment\) Regulations 2024 \(S.I. 2024/59\)](#), regs. 1(2), **2(4)**

Non-club transfers in

43A.—(1) This regulation applies in relation to a remedy member (“M”) to whom—

- (a) regulation F6 of the 1987 Regulations (previous service reckonable under current interchange arrangements) would have applied, had M been a member of the 1987 Scheme during the remedy period, or
- (b) regulation 15 of the 2006 Regulations (service reckonable by reason of transfer value) would have applied, had M been a member of the 2006 Scheme during the remedy period.

(2) A scheme manager may decide to accept, in respect of M’s former service, a transfer value in accordance with, as the case may be—

- (a) regulation F6 of the 1987 Regulations, or
- (b) regulation 15 of the 2006 Regulations.

(3) A decision under paragraph (2) may only be made—

- (a) if the scheme manager is satisfied that it is more likely than not that, but for a relevant breach of the non-discrimination rule, the same or a similar decision would, during the period of M’s remediable police service, have been made by the scheme manager,
- (b) before—
 - (i) the end of the period of one year beginning with the day on which a remediable service statement is first provided in respect of M, or
 - (ii) such later time as the scheme manager considers reasonable in all the circumstances, and
- (c) after an application in accordance with paragraph (4) is approved by the scheme manager.

(4) An application is made in accordance with this paragraph where—

- (a) it is in writing in a form and manner determined by the scheme manager,

- (b) it is accompanied by any information the scheme manager reasonably requires to be provided for the purposes of—
 - (i) making a decision under paragraph (2);
 - (ii) determining the matters mentioned in paragraph (3)(a), and
- (c) it is received by the scheme manager—
 - (i) before the end of the period of six months beginning with the later of—
 - (aa) the day on which a remediable service statement is first provided in respect of M;
 - (bb) the day on which this regulation comes into force, or
 - (ii) such later time as the scheme manager considers reasonable in all the circumstances.]

Changes to legislation:

There are currently no known outstanding effects for the The Police Pensions (Remediable Service) Regulations 2023, Chapter 3A.