STATUTORY RULES OF NORTHERN IRELAND

2013 No. 35

POLICE

Police Service of Northern Ireland and Police Service of Northern Ireland Reserve Pensions (Amendment) Regulations 2013

Made - - - -	*6th February 2013*
Coming into operation	*1st April 2013*

The Department of Justice makes the following regulations in exercise of the powers conferred by sections 25(2)(k) and 26(2)(g) of the Police (Northern Ireland) Act 1998(**1**). These powers are now vested in the Department (**2**).

The Department has consulted the Northern Ireland Policing Board and the Police Association for Northern Ireland in accordance with section 25(8) of that Act.

The Department of Finance and Personnel has consented to the making of these Regulations in accordance with section 72(2A)(**3**) of that Act.

The Department has consulted the Police Negotiating Board for the United Kingdom in accordance with 62(3) of the Police Act 1996(**4**).

Citation and commencement

1. These Regulations may be cited as the Police Service of Northern Ireland and Police Service of Northern Ireland Reserve Pensions (Amendment) Regulations 2013 and shall come into operation on 1st April 2013.

(**1**) 1998 c.32. Relevant amendments are made by section 78(1) of and paragraphs 23 of Schedule 6 to the Police (Northern Ireland) Act 2000.

(**2**) Article 5 of and paragraphs 9 and 10 of Schedule 3 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976) transferred the regulation making powers of the Secretary of State to the Department of Justice.

(**3**) This subsection was inserted by paragraph 23(6) of Schedule 6 to the 2000 Act. The consent function is now vested in the Department of Finance and Personnel by virtue of Article 5 of, and paragraph 38 of Schedule 3 to, S.I. 2010/976.

(**4**) 1996 c.16. Section 62(3) was amended by section 34(2) of the Police (Northern Ireland) Act 1998.

Amendments to the Royal Ulster Constabulary Pensions Regulations 1988

2. For regulation G2 (pension contributions payable by member) of the Royal Ulster Constabulary Pensions Regulations 1988(**5**) substitute —

"**Pension contributions payable by member**

G2.—(1) Subject to paragraph (4), a member whose basic annual salary is less than £60,000 shall pay to the Board pension contributions at the rate of 1p a week less than—

(a) in a case where he is ineligible under regulation G7(5) for a pension award payable on the ground of permanent disablement, 10 per cent of his pensionable pay; and

(b) in any case, 13.5 per cent of his pensionable pay.

(2) Subject to paragraph (4), a member whose basic annual salary is £60,000 or more shall pay to the Board pension contributions at a rate of 1p a week less than—

(a) in a case where he is ineligible under regulation G7(5) for a pension award payable on the ground of permanent disablement, 10.5 per cent of his pensionable pay; and

(b) in any other case, 14 per cent of his pensionable pay.

(3) The pension contributions payable under paragraphs (1) and (2) upon each instalment of pay shall fall due at the same time as the instalment and may, without prejudice to any other method of payment, be discharged by way of a reduction of the appropriate amount made by the Board from the said instalment.

(4) Paragraphs (1) and (2) shall not apply in the case of a member who has made an election under regulation G4 (1) which is, for the time being, in effect.

(5) For the purposes of this regulation "basic annual salary" means—

(a) in the case of a member in full-time service, the salary payable to that member in accordance with a determination made by the Department under regulation 23 of the Police Service of Northern Ireland Regulations 2005(**6**); and

(b) in the case of a member in part-time service, the salary that would be payable to that member in accordance with such a determination if he was in full-time service,

and does not include any bonus, weighting or other payment payable to the member in accordance with such a determination".

Amendments to the Police Pension (Northern Ireland) Regulations 2009

3. For regulation 5 (pension contributions payable by police officers) of the Police Pension (Northern Ireland) Regulations 2009(**7**) substitute—

"**Pension contributions payable by police officers**

5.—(1) Subject to paragraph (5), a police officer whose basic salary is £27,000 or less shall pay to the Board pension contributions at the rate of—

(a) in a case where he is ineligible under regulation 6 for a pension award payable on the ground of permanent disablement, 7.2 per cent of his pensionable pay; and

(b) in any other case, 10.7 per cent of his pensionable pay.

(**5**) S.R. 1988 No. 374. Regulation G2 was amended by S.R. 1990 No. 411, S.R. 1993 No. 327 and S.R. 2004 No. 384. There are other amendments to the Royal Ulster Constabulary Pensions regulations 1988, but none is relevant.
(**6**) S.R 2005 No. 547.
(**7**) S.R.2009 No. 79