STATUTORY RULES OF NORTHERN IRELAND

2010 No. 421

POLICE

Police Service of Northern Ireland Pensions (Additional Voluntary Contributions) (Amendment) Regulations 2010

Made - - - -	*15th December 2010*
Coming into operation	*11th January 2011*

The Department of Justice makes the following Regulations in exercise of the powers conferred by section 25(2)(k) of the Police (Northern Ireland) Act 1998(**1**), read with Articles 14 and 15 of the Superannuation (Northern Ireland) Order 1972(**2**). Those powers are now vested in the Department(**3**).

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

The Department of Finance and Personnel has consented to the making of these Regulations in accordance with section 72(2A)(**5**) of that Act.

Citation and commencement

1. These Regulations may be cited as the Police Service of Northern Ireland Pensions (Additional Voluntary Contributions) (Amendment) Regulations 2010 and shall come into operation on 11th January 2011 but shall have effect from 1st October 2010(**6**).

(**1**) 1998 c.32. Relevant amendments are made by section 78(1) of and paragraph 23 of Schedule 6 to the Police (Northern Ireland) Act 2000.
(**2**) S.I. 1972/1073 (N.I. 10).
(**3**) Article 5 of and paragraphs 9 and 38 of Schedule 3 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order (S.I. 2010/976) transferred the regulation making powers of the Secretary of State to the Department of Justice.
(**4**) 1996 c.16. Section 62(3) was amended by section 34(2) of the Police (Northern Ireland) Act 1998.
(**5**) 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.
(**6**) Retrospective effect is permitted by Articles 14 and 15 of the Superannuation (Northern Ireland) Order 1972.

Amendments to the Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993

2.—(1) The Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993(**7**) are amended as follows.

(2) In regulation 3 (making and acceptance of elections) after paragraph (2) insert—

"(2A) No election under regulation 4(1) (payment of basic contributions) or 5(1) (payment of death benefit contributions) made on or after 1st October 2010 is to be accepted.

(2B) No election under regulation 6(1)(a) (alteration of amount of basic contributions) or 6(2)(a) (alteration of amount to be secured by death benefit contributions) made on or after 1st October 2010 is to be accepted if it would have the effect of increasing the amount of the basic contributions or the amount to be secured by the death benefit contributions, as the case may be.".

(3) In regulation 4(1) (election to pay basic contributions) after "at any time" insert "before 1st October 2010".

(4) In regulation 5(1) (elections in respect of death benefit cover) after "at any time" insert "before 1st October 2010".

(5) In regulation 6 (variation and cancellation of elections)—

(a) at the start of each of paragraphs (1), (2) and (3) insert "Subject to paragraph (4)";

(b) after paragraph (3) insert—

"(4) An election may not be made under any of the preceding paragraphs of this regulation on or after 1st October 2010 if it would have the effect of increasing the amount of the basic contributions or the amount to be secured by the death benefit contributions, as the case may be.".

(6) At the start of regulation 10(1) (inward transfers) insert "At any time before 1st October 2010".

Sealed with the Official Seal of the Department of Justice on 15th December 2010

L.S.

David Ford
Minister of Justice

(**7**) S.R. 1993 No. 249, amended by S.R. 2006 No. 122; there are other amendments not relevant to the subject matter of these Regulations. S.R. 1993 No. 249 was modified by S.R. 2001 No. 369 in relation to police trainees.