1980 No. 101

POLICE

Royal Ulster Constabulary Pensions (Amendment No. 3) Regulations 1980

Made . . . . . 13th March 1980

Coming into operation in accordance with regulation 2

To be laid before Parliament.

The Secretary of State, in pursuance of section 25 of the Police Act (Northern Ireland) 1970(**a**) read with Articles 14 and 15 of the Superannuation (Northern Ireland) Order 1972(**b**), and after consulting, in accordance with section 34(2) of the said Act, the Police Authority for Northern Ireland and the Police Association for Northern Ireland, and, in accordance with section 4(5) of the Police Act 1969(**c**), the Police Council for the United Kingdom, hereby with the concurrence of the Minister for the Civil Service makes the following regulations:—

Citation

1. These regulations may be cited as the Royal Ulster Constabulary Pensions (Amendment No. 3) Regulations 1980.

Commencement and effect

2. These regulations shall come into operation on 1st April 1980 and shall have effect—

(*a*) for the purposes of paragraph (*a*) of regulation 4, as from 1st April 1972;

(*b*) for the purposes of paragraph (*b*) of regulation 4, as from 29th July 1977;

(*c*) for the purposes of paragraph (*c*) of regulation 4, as from 6th April 1978;

(*d*) for the purposes of paragraph (*d*) of regulation 4, as from 1st April 1980;

(*e*) for the purposes of paragraph (*e*) of regulation 4, as from 6th April 1980.

Interpretation

3. In these regulations any reference to the principal regulations is a reference to the Royal Ulster Constabulary Pensions Regulations 1973(**d**).

Amendments to the principal regulations

4. The principal regulations shall have effect—

(*a*) from 1st April 1972 subject to the amendments specified in Part I of the Schedule;

(*b*) from 29th July 1977 subject to the amendments specified in Part II of the Schedule;

(*c*) from 6th April 1978 subject to the amendments specified in Part III of the Schedule;

(**a**) 1970 c.9 (N.I.) as modified by S.I. 1973/2163 (1973 III, p.7541)
(**b**) S.I. 1972/1073 (N.I. 10)
(**c**) 1969 c.63
(**d**) S.R. & O. (N.I.) 1973 No. 317 (II, p. 1722) as amended by S.R. 1978 No. 73 (I, p. 180) and S.R. 1978 No. 332 (II, p. 1167)

(*d*) from 1st April 1980 subject to the amendments specified in Part IV of the Schedule;

(*e*) from 6th April 1980 subject to the amendments specified in Part V of the Schedule.

Transitional award

5. In the case of a member who ceased to be a member before 1st April 1980 and to whom regulation 20D of the principal regulations applies by virtue only of the amendment made by Part III of the schedule to these regulations, notice in writing for the purposes of paragraph (2) or (3) of that regulation may be given at any time before 1st August 1980.

Humphrey Atkins
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
13th March 1980

The concurrence of the Minister for the Civil Service given under her Official Seal on 13th March 1980.

(L.S.)

T. A. A. Hart
Authorised by the Minister for the Civil Service

SCHEDULE Regulation 4

PART I

Amendments to the Principal Regulations taking effect from 1st April 1972

1. In paragraph 1(1) of Part IV of Schedule 3 there shall be inserted after sub-paragraph (*b*) the following provision—

"(*bb*) if he had made an election under regulation 51(3), or if paragraph 3 of Part VIII of Schedule 2 applied to his case, and the period of pensionable service taken into account in making any calculation under that regulation, or that Part of that Schedule, was less than a year, that period of service;".

2. In paragraph 1(2) of that Part there shall be inserted after sub-paragraph (*b*) the following provision—

"(*bb*) if he had made such an election as is mentioned in regulation 50, or an election under regulation 51(2), or if paragraph 2 of Part VIII of Schedule 2 applied to his case, and the period of pensionable service taken into account in making any calculation under that regulation, or that Part of that Schedule, was less than a year, that period of service;".

3. In paragraph 2 of that Part there shall be inserted after sub-paragraph (1) the following provision—

"(1A) For the purposes of sub-paragraph (1), in calculating the husband's deferred pension the following provisions shall be disregarded, that is to say:—

(*a*) the restrictions on payment contained in regulation 20B(2), and

(*b*) the provisions for the reduction of a pension contained in regulations 21(6) and 22(7) and in Parts VII and VIII of Schedule 2.".

PART II

Amendments to the Pricipal Regulations taking effect from 29th July 1977

In regulation 16—

(*a*) there shall be inserted in paragraph (4) after the words "30 years' pensionable service" the words "who has not served as a member before 8th August 1961"; and

(*b*) paragraph (5) shall be omitted.

PART III

Amendments to the Principal Regulations taking effect from 6th April 1978

In regulation 20D—

(*a*) in paragraph (1) for the words "whose average pensionable pay has not exceeded £5,000 in any tax year" there shall be substituted the words "whose total pensionable pay has not exceeded £5,000 in any tax year falling within the appropriate period of service"; and

(*b*) in paragraph (6) for the words "paragraph (5)" there shall be substituted the words "paragraphs (1) and (5)".

PART IV

Amendments to the Principal Regulations taking effect from 1st April 1980

1. For regulation 49 there shall be substituted the following regulation:

"49. A member shall pay pension contributions to the Police Authority at the rate of 1p a week less than 7 per cent of his pensionable pay, in the case of a man, or less than 5 per cent of her pensionable pay, in the case of a woman.".