

2015 No.

PENSIONS

The Police Pensions (Amendment) (Scotland) Regulations 2015

Made - - - -

Laid before the Scottish Parliament

Coming into force - -

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 1 of the Police Pensions Act 1976(a) and all other powers enabling them to do so.

Citation, commencement, effect and extent

1.—(1) These Regulations may be cited as the Police Pensions (Amendment) (Scotland) Regulations 2015 and come into force on 2015.

(2) These Regulations have effect from 21st May 2014.

(3) These Regulations extend to Scotland only.

Amendment of the Police Pensions Regulations 1987

2.—(1) In regulation B7 (commutation – general provision) of the Police Pensions Regulations 1987(b)—

(a) in paragraph (1), for “and (7)” substitute “, (7) and (7A)”;

(b) in paragraph (7), after “Actuary” insert “(except as provided for in paragraphs (7A) and (7B))”; and

(c) after paragraph (7), insert—

“(7A) Paragraph (7B) applies in a case where—

(a) a person’s date of retirement falls after 20th May 2014 and before 1st April 2022; and

(b) the lump sum calculated under paragraph (7) (ignoring the proviso) would have been greater had it been calculated from tables prepared by the Scheme Actuary for the purposes of this regulation as it has effect in England.

(a) 1976 c.35. Section 1 was amended by section 2(3) of the Police Negotiating Board Act 1980 (c.10), section 1(1) of the Police and Firemen’s Pensions Act 1997 (c.52) and paragraph 129 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c.13). These powers were extended by section 42 of the Welfare Reform and Pensions Act 1999 (c.30). The functions of the Secretary of State as regards Scotland were transferred to the Scottish Ministers by the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750), article 2 and Schedule 1. The requirement for consent by the Minister for the Civil Service under section 1 was transferred to the Treasury by virtue of S.I. 1981/1670, and such consent is not required in the exercise by the Scottish Ministers of the transferred functions by virtue of S.I. 1999/1750 and section 63 of the Scotland Act 1998 (c.46).

(b) S.I. 1987/257.

(7B) The lump sum payable under paragraph (7) (before application of any reduction) is the greater sum calculated on the basis referred to in paragraph (7A)(b) and, for the purposes of paragraph (4)(b), that is to be treated as the sum calculated in accordance with paragraph (7).”.

St Andrew's House,
Edinburgh

2015

A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation B7 of the Police Pensions Regulations 1987. A special rule is provided for calculating the lump sum payable in respect of commuting a portion of pension in a case where a police officer retires between 21st May 2014 and 31st March 2022.