



## SCOTTISH PUBLIC PENSIONS AGENCY

The Chief Executives, Fife Council and Dumfries & Galloway Council  
Chief Constables  
Clerks to the Joint Boards

7 Tweedside Park  
Tweedbank  
Galashiels TD1 3TE

Telephone: 01896 893223  
Fax: 01896 893230  
James.preston@scotland.gsi.gov.uk

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Dear Sir or Madam

### **POLICE PENSIONS CIRCULAR No 2005/1**

#### **Bilateral Agreement with the British Transport Police Force**

**This circular should be brought to the immediate attention of force personnel officers and the administrators of the Police Pension Scheme.**

1 SPPA circular 2004/5 dated 22 December 2004 outlined the final details of the bilateral agreement between the Police Pension Scheme and the British Transport Police Force Superannuation Fund that came into force on 1 December 2004. A full copy of the agreement was attached with the circular.

2 Prior to the agreement being finalised police authorities were notified by SPPA Circular 2004/1 issued on the 23 February 2004 with a summary of the outline of the draft agreement at that time so that officers who transferred between 30 April 1998 and the date the agreement eventually came into force could be identified. Circular 2004/1 identified the two groups who would fall into the backdating provisions by those who would automatically have their transfers reconsidered under the terms of the agreement (mandatory) and those who would need to apply (discretionary back dating). At the time of Circular 2004/1 it was envisaged that the date of any transfer payment would determine which group an officer would be placed into but as the agreement developed it was decided that reference would only be made to the date of actual transfer itself.

3 It has come to our attention that the draft backdating provisions outlined in circular 2004/1 may have been used to inform officers affected by the introduction of the bilateral agreement that their transfer payment would automatically be reconsidered when in fact an application is required.

4 The final and agreed backdating terms of the agreement as outlined in Circular 2004/5 **must** be applied to any officer who transferred between 30 April 1998 and 30 November 2004. An automatic review of a transfer payment should only be made where the officer's

transfer to the force occurred during the period 1 February 2001 and 30 November 2004. An officer transferring between 30 April 1998 and 31 January 2001 must make an application to the police authority to have the transfer payment reconsidered under the terms of the bilateral agreement **even** if that transfer payment was made on or after 1 February 2001.

5 Time limits apply for both those officers who have transferred prior to 1 December 2004 and have not yet requested a transfer payment to be made and those officers who have a transfer payment that does not automatically fall to be reconsidered under the terms of the agreement.

6 Police authorities are reminded that under paragraph 5.1 of Annex 3 to the agreement that where both schemes agree that a person was unable to meet the time limit then they may exercise discretion to extend that time limit to a new date as they think reasonable.

Yours sincerely



Jim Preston