

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2013 No.**

**PENSIONS**

**The Police Pensions (Scotland) Amendment Regulations 2013**

*Made* - - - - 2013

*Laid before the Scottish Parliament* April 2013

*Coming into force* - - May 2013

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.

In accordance with section 1(1) of that Act, they have consulted with the Police Negotiating Board for the United Kingdom(b).

**Citation, commencement and effect**

1.—(1) These Regulations may be cited as the Police Pensions (Scotland) Amendment Regulations 2013.

(2) These Regulations come into force on May 2013 and, subject to paragraph (3), have retrospective effect from 1st April 2013.

(3) Regulation 8(c) has effect from 1st October 2012.

**Amendment of Police Pensions Regulations**

2. The Police Pensions (Scotland) Regulations 2007(c) are amended as follows.

**New regulation 2A**

3. After regulation 2, insert—

**“Establishment of the Police Service of Scotland**

**“2A.** Anything done before 1st April 2013 by or in relation to a police force within the meaning of the Police (Scotland) Act 1967(d) is, for the purpose of these Regulations, to be

---

(a) 1976 c.35. Section 1 is amended by section 2(3) of the Police Negotiating Board Act 1980 (c.10), paragraph 28 of Schedule 7 to the Police Act 1996 (c.16) and section 1(1) of the Police and Firemen’s Pensions Act 1997 (c.52). The functions of the Secretary of State under the Act as regards Scotland are transferred to Scottish Ministers by article 2 of and Schedule 1 to S.I. 1999/1750. The requirement for consent by the Minister for the Civil Service under section 1 of the Act was transferred to the Treasury by virtue of S.I. 1986/1670 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) See section 61 of the Police Act 1996 (c.16) and section 2(3) of the Police Negotiating Board Act 1980 (c.10), which substituted the Police Negotiating Board for the Police Council for the United Kingdom.

(c) S.S.I. 2007/201.

(d) 1967 c.77.

treated on or after that day as having been done by or in relation to the Police Service of Scotland.”.

### **Regulation 3**

4. In regulation 3 (meaning of certain expressions)—
- (a) in paragraph (1), omit “, or a police member of SCDEA”; and
  - (b) omit paragraph (5).

### **Regulation 5**

5. In regulation 5 (transfers), omit paragraphs (a) and (b).

### **Regulation 17**

6. In regulation 17 (retirement), in paragraph (1)(d)—
- (a) for “within the meaning of section 4(4)(d) of the Police (Scotland) Act 1967”, substitute “under section 14 of the 2012 Act”; and
  - (b) omit “in question”.

### **Regulations 87 and 88**

7. Omit regulations 87 (alterations in police areas) and 88 (chief constables affected by alterations in police areas).

### **Schedule 1**

8. In Schedule 1 (glossary of expressions)—
- (a) after the definition of “the 1999 Act”, add—
    - ““the 2012 Act” means the Police and Fire Reform (Scotland) Act 2012(a);”;
  - (b) in the definition of “chief constable”, for “section 3 of the Police (Scotland) Act 1967” substitute “section 99(1) of the 2012 Act”;
  - (c) in the definition of “home police force”, at the end insert “or the Police Service of Scotland”;
  - (d) in the definition of “part-time service”, omit “or as a police member of SCDEA”;
  - (e) for the definition of “police authority”, substitute—
    - ““police authority” means the Scottish Police Authority;”;
  - (f) omit the definition of “a police member of SCDEA”;
  - (g) in the definition of “regular police officer”, omit “a police member of SCDEA,”;
  - (h) in the definition of “relevant service”, for the words from “has the” to “1967” substitute “means temporary service under section 15 of the 2012 Act”; and
  - (i) omit the definitions of “SCDEA” and “SPSA”.

---

(a) 2012 asp 8.

St Andrew's House,  
Edinburgh

2013

A member of the Scottish Government

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*