
SCOTTISH STATUTORY INSTRUMENTS

2013 No.

PENSIONS

The Police Pensions (Amendment) (Scotland) 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 (Amendment) (Scotland) 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 12(e) has effect from 1st October 2012.

Amendment of Police Pensions Regulations

2. The Police Pensions Regulations 1987(c) are amended as follows.

New regulation A4A

3. After regulation A4, insert—

“Establishment of the Police Service of Scotland

“A4A. 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.I. 1987/257.

(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 A6

4. In regulation A6 (meaning of certain expressions), omit paragraphs (5G) to (5I).

Regulation A15

5. Omit regulation A15 (alterations in police areas).

Regulation A16

6. In regulation A16 (transfers), omit paragraphs (a) and (e).

Regulation A17

7. In regulation A17 (retirement), in paragraph (1)(a) for the words from “section 26” to “2006” substitute “section 48 of the 2012 Act”.

Regulation B1

8. In regulation B1 (policeman’s ordinary pension), in paragraph (3)(d) for “section 4(4)(d) of the Police (Scotland) Act 1967” substitute “section 14 of the 2012 Act”.

Regulation B2

9. In regulation B2 (policeman’s short service award), in paragraph (1)(c) for “section 4(4)(d) of the Police (Scotland) Act 1967” substitute “section 14 of the 2012 Act”.

Regulation F3

10. In regulation F3 ((previous service reckonable without payment), in paragraph (1)(e) for “section 38A(3) of the Police (Scotland) Act 1967” substitute “section 15(5) of the 2012 Act”.

Regulation H6

11. In regulation H6 (appeal by overseas policeman, inspector of constabulary or central police officer), in paragraph (10)(b) for “section 33 or 34 of the Police (Scotland) Act 1967” substitute “section 71 or 72 of the 2012 Act”.

Schedule A

12. In Schedule A (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 “central police officer”, for “section 38(1) of the Police (Scotland) Act 1967” substitute “section 15(5) of the 2012 Act”;

(c) in the definition of “central service”, for “section 38A(1)(b) or (bc) of the Police (Scotland) Act 1967” substitute—

“any of the following kinds of temporary service in pursuance of section 15 of the 2012 Act—

(a) 2012 asp 8.

- (a) service in accordance with section 72(1)(b) or 73(1)(b) of the 2012 Act as an assistant inspector of constabulary or, as the case may be, as a staff officer of the inspectors of constabulary;
- (b) service under the Crown in connection with research or other services connected with the police provided by the Scottish Ministers; or
- (c) service as a member of staff of SOCA;”;
- (d) in the definition of “chief officer of police”, omit the words from “and in relation” to “General”;
- (e) in the definition of “home police force”, at the end insert “or the Police Service of Scotland”;
- (f) in the definition of “member of a police force”, omit paragraph (h) and the word “and” immediately before it;
- (g) in the definition of “police authority”, omit the words from “, and accordingly” to the end;
- (h) omit the definition of “a police member of SCDEA”;
- (i) in the definition of “regular policeman”—
 - (i) omit paragraph (g); and
 - (ii) in paragraph (h), for the words from “accordance” to the end substitute “pursuance of section 15 of the 2012 Act with any person engaged in activity outwith the United Kingdom”; and
- (j) omit the definitions of “SCDEA” and “SPSA”.

A member of the Scottish Government

St Andrew’s House,
Edinburgh

2013

EXPLANATORY NOTE

(This note is not part of the Regulations)