
STATUTORY INSTRUMENTS

2013 No. 487

**POLICE, ENGLAND AND WALES
PENSIONS, ENGLAND AND WALES**

The Police Pensions (Amendment) Regulations 2013

<i>Made</i>	- - - -	<i>4th March 2013</i>
<i>Laid before Parliament</i>		<i>8th March 2013</i>
<i>Coming into force</i>	- -	<i>1st April 2013</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 1 of the Police Pensions Act 1976(1).

In accordance with section 1(1) of the Act, the Treasury(2) have consented to the making of these Regulations and the Secretary of State has consulted with the Police Negotiating Board for the United Kingdom(3).

Citation, commencement and extent

- 1.—(1) These Regulations may be cited as the Police Pensions (Amendment) Regulations 2013.
- (2) These Regulations come into force on 1st April 2013, but regulations 4 and 5 have effect from 1st January 2013(4).
- (3) These Regulations extend to England and Wales.

(1) 1976 c. 35. Extensions to the powers conferred by section 1 are in sections 4, 6 and 7. These sections were amended by section 2(3) of the Police Negotiating Board Act 1980 (c. 10), paragraph 19 of Schedule 5 to the Police and Magistrates' Courts Act 1994 (c. 29), paragraphs 28 and 29 of Schedule 7 to the Police Act 1996 (c. 16), section 1(1) and 2 of the Police and Firemen's Pensions Act 1997 (c. 52), section 78(2)(f) of the Police (Northern Ireland) Act 2000 (c. 32), section 126(1) of and paragraph 6(1) and (2) of Schedule 4 to the Criminal Justice and Police Act 2001 (c. 16), paragraph 6(1) of Schedule 3 to the International Development Act 2002 (c. 1), paragraph 30 of Schedule 4 to the Serious Organised Crime and Police Act 2005 (c. 15), paragraph 58 of Schedule 1 and Part 1(A) of Schedule 15 to the Police and Justice Act 2006 (c. 48), paragraph 11(2) of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006 (c. 47) and paragraph 2(2) of the Schedule to S.I. 2007/1098 and paragraph 129 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13).

(2) Formerly the Minister for the Civil Service: see S.I. 1981/1670.

(3) See section 61 of the Police Act 1996 (c. 16).

(4) Retrospective effect is permitted by section 1(5) of the Police Pensions Act 1976.

Pension contributions

2.—(1) Regulation G2(1) of the Police Pensions Regulations 1987⁽⁵⁾ (pension contribution payable by regular policeman) is amended as follows.

- (2) In sub-paragraph (a)—
- (a) for “8.75 per cent” substitute “10 per cent”;
 - (b) for “12.25 per cent” substitute “13.5 per cent”.
- (3) In sub-paragraph (b)—
- (a) for “9 per cent” substitute “10.5 per cent”;
 - (b) for “12.5 per cent” substitute “14 per cent”.

3.—(1) Regulation 7(1) of the Police Pensions Regulations 2006⁽⁶⁾ (pension contributions payable by regular police officers) is amended as follows.

- (2) In sub-paragraph (a)—
- (a) for “6.6 per cent” substitute “7.2 per cent”;
 - (b) for “10.1 per cent” substitute “10.7 per cent”.
- (3) In sub-paragraph (b)—
- (a) for “7 per cent” substitute “8 per cent”;
 - (b) for “10.5 per cent”, substitute “11.5 per cent”.
- (4) In sub-paragraph (c)—
- (a) for “7.25 per cent” substitute “8.5 per cent”;
 - (b) for “10.75 per cent” substitute “12 per cent”.

Early payment of deferred pension

4.—(1) Subject to regulation 5 of these Regulations, regulation B5A of the Police Pensions Regulations 1987⁽⁷⁾ (early payment of deferred pension) is amended as follows.

- (2) For paragraph (1) substitute—
- “(1) Subject to paragraphs (2) and (3), a regular policeman who—
- (a) has attained the age of 55 years;
 - (b) receives a compensation lump sum on voluntary retirement in accordance with a determination of the Secretary of State made under regulation 14A of the Police Regulations 2003⁽⁸⁾; and
 - (b) is entitled to a deferred pension in accordance with regulation B5(4), payable upon his attaining the age of 60,
- may elect for immediate payment of that pension.”.
- (3) In paragraph (4), omit sub-paragraph (a).

5.—(1) This regulation applies to an election made before 1st April 2013 under regulation B5A(1) of the Police Pensions Regulations 1987 which could not be made under that regulation as amended by regulation 4 of these Regulations (“an original election”).

(5) [S.I. 1987/257](#). Regulation G2 was amended by [S.I. 1990/805](#), [S.I. 2004/2354](#) and [S.I. 2011/3063](#), and substituted by [S.I. 2012/640](#).

(6) [S.I. 2006/3415](#). Regulation 7 was amended by [S.I. 2011/3063](#) and substituted by [S.I. 2012/640](#).

(7) Regulation B5A was inserted by [S.I. 2012/3057](#).

(8) [S.I. 2003/527](#). Regulation 14A was inserted by [S.I. 2012/3058](#). There are other amendments, but none is relevant.

(2) A regular policeman who has made an original election may elect that regulation 4 of these Regulations shall not apply in his case (“a confirming election”).

(3) A confirming election shall be made by giving written notice to the police pension authority before 1st July 2013.

(4) In the absence of a confirming election, an original election has no effect.

Home Office
28th February 2013

Damian Green
Minister of State

We consent

4th March 2013

Desmond Swayne
Mark Lancaster
Two Lords Commissioners of Her Majesty's
Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulations 2 and 3 of these Regulations amend the Police Pensions Regulations 1987 and the Police Pensions Regulations 2006 in order to increase the rates of contribution payable by members of the police pension schemes governed by those Regulations.

Regulation 4 of these Regulations corrects an error in regulation B5A of the Police Pensions Regulations 1987, which was inserted by the Police Pensions (Amendment No. 3) Regulations 2012 with effect from 1st January 2013.

Regulation B5A was inserted in order to implement (in part) recommendation 58 of the Independent Review of Police Officer and Staff Remuneration and Conditions: Part 1 Report⁽⁹⁾ in relation to voluntary redundancy. The intention behind regulation B5A was to allow a police officer who leaves the police force under a voluntary redundancy scheme when aged 55 or more and eligible for a deferred pension to elect to receive his or her pension immediately rather than at the age of 60, subject to an actuarial reduction. Regulation B5A also allows an officer in this position to use the lump sum paid on voluntary redundancy to buy out the actuarial reduction to the pension.

However, regulation B5A in fact extended the entitlement to early payment of an actuarially reduced pension to all scheme members eligible for a deferred pension. These Regulations implement the original policy intention, with effect from 1st January 2013. An election for early receipt of an actuarially reduced pension made in the period before these Regulations came into force, and which could not have been made under regulation B5A as amended, will have no effect unless the member confirms it in accordance with regulation 5 of these Regulations.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

⁽⁹⁾ Cm. 8024.