

**EXPLANATORY MEMORANDUM TO
THE POLICE SERVICE OF NORTHERN IRELAND PENSIONS
(AMENDMENT NO 2) REGULATIONS 2006
2006 No 152**

1. This explanatory memorandum has been prepared by the Northern Ireland Office and is laid before Parliament by Command of Her Majesty.
2. ***Description***
 - 2.1 This instrument will, subject to annulment in either House, come into force on 5 April 2006 and make revisions to The Royal Ulster Constabulary Pensions Regulations 1988 and The Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993. The revisions relate to the ability of a person who has opted out of the current Police Pension Scheme to opt back into it, and to parity of treatment to officers who form civil partnerships as with those who marry.
3. ***Matters of special interest to the Joint Committee on Statutory Instruments/Select Committee on Statutory Instruments.***
 - 3.1 None.
4. ***Legislative Background***
 - 4.1 The instrument is made under Section 25 of the Police (Northern Ireland) Act 1998 as amended. Certain of the amendments relating to civil partnerships made by the Regulations take effect retrospectively as permitted by the Superannuation (Northern Ireland) Order 1972.
5. ***Extent***
 - 5.1 These regulations extend to Northern Ireland only but reflect regulations made for England and Wales, and Scotland.
6. ***European Convention on Human Rights***
 - 6.1 Not applicable.
7. ***Policy Background***
 - 7.1 These amendments make provision for there to be the same range of survivor benefits in respect of police officers in Northern Ireland who form civil partnerships as for officers who marry. The amendments result from the requirements set in place by the Civil Partnership Act 2004, and amendments relating to this Act are back-dated to 5 December 2005.
 - 7.2 The amendments also provide serving women officers with a further chance to pay extra contributions to up-rate their pre-1990 service for the purpose of

survivor benefits, to recognise that some women will not have wanted to do so earlier as benefits then applied to married officers only.

- 7.3 The amendments also include a provision specifying the final cut-off date by which an officer who has opted out of the current Police Pension Scheme can opt back in before the introduction of the new Police Pension Scheme on 6 April. From that date only the new scheme will be open for officers to join.
- 7.4 These amendments are in line with policy for police officers serving in the rest of the United Kingdom, as agreed at the Police Negotiating Board.

8. *Impact*

- 8.1 A regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.
- 8.2 Although there will be an impact on the resources of the Police Service of Northern Ireland it should be noted that the instrument will also strengthen the attractiveness of the police service to a more diverse workforce and help in its modernisation.

9. *Contact*

- 9.1 Walter Myles at the Northern Ireland Office can deal with queries regarding this instrument. He can be contacted by telephone on 028 9052 8614 or by e-mail: Walter.Myles@nio.x.gsi.gov.uk