

2017 No. 26

PUBLIC SERVICE PENSIONS

**The Police Pensions (Amendment) Regulations (Northern
Ireland) 2017**

Made - - - - - *23rd January 2017*

Coming into operation - *31st March 2017*

The Department of Justice makes these Regulations in exercise of the powers conferred by sections 1(1) and (2)(g)(a), 2(1) and 3(1),(2),(3)(a) and (b) and (4) of the Public Service Pensions Act (Northern Ireland) 2014(b).

In accordance with section 21 of that Act, the Department of Justice has consulted the representatives of such persons as appear to it likely to be affected by these Regulations.

In accordance with section 3(5) of that Act the Department of Finance has consented to the making of these Regulations.

Citation, commencement and effect

1.—(1) These Regulations may be cited as the Police Pensions (Amendment) Regulations (Northern Ireland) 2017.

(2) These Regulations come into operation on 31st March 2017 and have effect from 1st April 2015.

Amendment of the Police Pensions Regulations (Northern Ireland) 2015

2. The Police Pensions Regulations (Northern Ireland) 2015(c) shall be amended in accordance with Schedule 1.

Amendment of the Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993

3. The Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993(d) shall be amended in accordance with Schedule 2.

(a) See also section 1(3) of, and Schedule 1 to, the Act.

(b) 2014 c.2 (N.I.).

(c) S.R. 2015 No. 113.

(d) S.R. 1993 No. 249 as amended by S.R. No. 2006 No.152, S.R. 2010 No. 421 and S.R. 2016 No.82.

Sealed with the Official Seal of the Department of Justice on 23rd January 2017.



Claire Sugden
Minister of Justice

The Department of Finance has consented to the making of these Regulations.
Sealed with the Official Seal of the Department of Finance on 23rd January 2017.



Emer Morelli
A senior officer of the Department of Finance

SCHEDULE 1

Regulation 2

Amendment of the Police Pensions Regulations (Northern Ireland) 2015

The Police Pensions Regulations (Northern Ireland) 2015

1. The Police Pensions Regulations (Northern Ireland) 2015 are amended in accordance with paragraph 2.

2. In regulation 2 (interpretation)—

- (a) in the definition of “final pay” for “Chapter 5” substitute “Chapter 7”;
- (b) for the definition of “index adjustment” substitute—

““index adjustment” means—

- (a) in relation to the opening balance of earned pension for any scheme year (other than the opening balance of club transfer earned pension) means the change in prices for the previous scheme year^(a) plus 1.25%; and
- (b) in relation to the opening balance of club transfer earned pension for any scheme year means the in-service revaluation index that the sending scheme would have applied to that amount of earned pension for that scheme year, had the earned pension not been transferred;”;
- (c) in the definition of “pension supervising authority for “Part 2.” substitute “regulation 208;”

(a) Under section 9 of the Public Service Pensions Act (Northern Ireland) 2014, the change in prices to be applied means the percentage increase or decrease in prices specified in the Order made by the Department of Finance for the previous scheme year.

Amendment of the Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993

The Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993

1. The Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993 are amended in accordance with paragraph 2.

2. Regulation 3(4) (making and acceptance of elections) is revoked.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Pensions Regulations (Northern Ireland) 2015 (“the 2015 Regulations”) and the Royal Ulster Constabulary Pensions (Additional Voluntary Contributions) Regulations 1993 (“the 1993 Regulations”).

Regulation 2 and Schedule 1 make technical amendments to the Police Pensions Regulations (Northern Ireland) 2015. In Schedule 1 paragraph 2(a) (*definition of “final pay”*) is amended to correct a typographical error; paragraph 2(b) (*index adjustment*) corrects an ambiguity in the definition of “index adjustment” in the 2015 Regulations, to reflect the policy intent across all public sector schemes and paragraph 2(c) clarifies the legislative reference to a “pension supervising authority”.

Paragraph 2 of Schedule 2 amends a minor omission by the Police Pensions (Additional Voluntary Contributions) (Amendment) Regulations (Northern Ireland) 2016 (“the 2016 Regulations”) as identified by the Examiner of Statutory Rules. Regulation 3 of the 2016 Regulations substituted a new regulation 11 (retirement pensions) for existing regulation 11 of the 1993 Regulations. Regulation 3(4) of the 1993 Regulations provides that a pension election under regulation 11(2) made after retirement may be accepted only if the Policing Board is satisfied as mentioned in regulation 11(2). As regulation 11(2) no longer makes provision for pension elections regulation 3(4) of the 1993 Regulations is revoked.

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