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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 201**

**The Police Pensions (Scotland) Regulations 2007**

**PART 9**

**SPECIAL CASES**

*Former members of an English or Welsh police force or the Police Service of Northern Ireland*

**Former members of an English or Welsh police force or the Police Service of Northern Ireland**

**96.**—(1) This regulation applies in the case of a regular police officer who has been a member of a police force within the meaning of the Police Act 1996 or of the Police Service of Northern Ireland.

(2) Where such a regular police officer is entitled to reckon pensionable service by reason of service in an English or Welsh police force or the Police Service of Northern Ireland (in this regulation referred to as “that officer’s former force”) and—

- (a) left that officer’s former force for the purpose of becoming a regular police officer in a home police force and joins that home police force in that capacity; or
- (b) retired from or otherwise ceased to serve in that officer’s former force and subsequently joins a home police force at a time when no pension is in payment to that officer by reason of service in that officer’s former force,

then for the purposes of these Regulations including in particular regulation 10, 11, 12, 13, and 95, anything done, by that officer or in that officer’s case, under or for the purposes of a provision of the English and Welsh pensions legislation or the Police Service of Northern Ireland pensions legislation which corresponds to a provision of these Regulations shall be treated as if it had been done under or for the purpose of that corresponding provision; and accordingly that officer’s pensionable service in that officer’s former force shall be reckonable as if it had been pensionable service in a home police force, subject, where applicable, to the making by the regular police officer concerned of an appropriate payment to the police authority for the relevant home police force, in accordance with regulation 13.

**Transfer of regular police officer to an English or Welsh police force or the Police Service of Northern Ireland**

**97.**—(1) Where a regular police officer has left a home police force and joined an English or Welsh police force or the Police Service of Northern Ireland and the police authority of the English or Welsh police force or, as the case may be, the Northern Ireland Policing Board is contingently liable to make payments to that officer under the English and Welsh pensions legislation or as the case may be, the Police Service of Northern Ireland pensions legislation, regulation 77(1), (2) and (4) shall have effect as if the former police authority were the police authority of the home police force in question and the current authority were the police authority of the English or Welsh force in question or, as the case may be, the Northern Ireland Policing Board.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(2) On notification by the police authority of the English or Welsh police force in question or, as the case may be, the Northern Ireland Policing Board, that a certificate issued under regulation 77 as modified by paragraph (1) has been accepted, any entitlement of the regular police officer concerned to an award under these Regulations shall cease to have effect.

(3) In relation to a person to whom an ill-health pension is payable under Part 4, regulation 51(5) shall effect as if the expression “another police force” included an English or Welsh police force or the Police Service of Northern Ireland.

(4) In relation to a person to whom a pension is payable under Part 4, regulation 52 shall have effect as if the expression “any police force” included an English or Welsh police force and the Police Service of Northern Ireland.

### **Amendment of the Police (Injury Benefit) (Scotland) Regulations 2007**

**98.** Schedule 5 to these Regulations, which amends the Police (Injury Benefit) (Scotland) Regulations 2007(1), has effect.