



Police Pensions Act 1976

1976 CHAPTER 35

2 Application of regulations to existing members.

- (1) Any regulations made under section 1 above shall be so framed as to secure, for existing members of police forces, the results—
 - (a) as to compulsory age of retirement, and
 - (b) as to scale of pensions payable under the regulations, specified respectively in subsections (2) and (3) below.
- (2) The result as to compulsory age of retirement referred to in subsection (1) above is that the times at which an existing member of a police force is or may be required under the regulations to retire on the ground of age do not, unless he at any time elects otherwise, differ from those which would have been applicable in his case if the regulations in question had not come into force.
- (3) The result as to scale of pensions referred to in subsection (1) above is that the scale of pensions payable under the regulations to an existing member of a police force who ceases to be a member of that police force either—
 - (a) after having served for any period prescribed by the regulations in question, or
 - (b) by reason of infirmity of mind or body (not being due to injury received in the execution of his duty) after having served for any shorter period so prescribed,is not, unless he elects otherwise within such time and in such manner as may be so prescribed, less favourable than the scale applicable in his case immediately before the coming into force of the regulations.
- (4) Regulations made under section 1 above shall not be invalid by reason that in fact they do not secure the results specified in subsections (2) and (3) above, but if the Secretary of State is satisfied, or it is held by the High Court or by the Court of Session, that any such regulations have failed to secure those results, the Secretary of State shall so soon as may be make under section 1 the necessary amending regulations, and any such amending regulations shall have effect as from the date of the coming into force of the regulations which they amend.

Changes to legislation: There are currently no known outstanding effects for the Police Pensions Act 1976, Section 2. (See end of Document for details)

- (5) In this section, “existing member”, in relation to any police force, means a person who is serving in that police force at the date when the regulations in questions come into force.

Subordinate Legislation Made

- P1** S. 2: for previous exercises of power see Index to Government Orders
S. 2: S. 1 (with ss. 2, 3, 4, 5, 6, 7) : power exercised by [S.I. 1991/1304](#)

Modifications etc. (not altering text)

- C1** S. 2: transfer of certain functions (1.7.1999) by [S.I. 1999/1750](#), arts. 1, 2, **Sch. 1** (with art. 7)
C2 S. 2(4) amended by [Police Pensions Act 1961 \(c. 35\)](#), **s. 1(3)**

Changes to legislation:

There are currently no known outstanding effects for the Police Pensions Act 1976, Section 2.