
STATUTORY INSTRUMENTS

1985 No. 2029

**The Police Pensions (War Service)
(Transferees) Regulations 1985**

PART II

**WAR SERVICE RECKONABLE WITHOUT
RECEIPT OF ADDITIONAL TRANSFER VALUE**

- 4.—(1) This Part shall apply in the case of a person who—
- (a) on 1st April 1978 or, where he died before that date, immediately before his death, was serving as a regular policeman or, having ceased so to serve, had retired with an entitlement to a pension; and
 - (b) was on 1st April 1978, or immediately before his retirement or death if earlier, entitled to reckon pensionable service for the purposes of the principal Regulations or, as the case may be, the old cases Regulations by virtue of any such period of service or employment as is mentioned in Schedule 2 (“qualifying service”); and
 - (c) was not on 1st April 1978, or immediately before his retirement or death if earlier, entitled to reckon pensionable service in respect of qualifying service under the war service provisions of the pension scheme applicable thereto but who would have been so entitled if he had remained in that scheme until 1st April 1978, or the date of his death if earlier;

so, however, that in the case of a regular policeman with more than one period of qualifying service, any such period other than the first shall be disregarded for the purposes of this Regulation and references to his qualifying service shall be construed accordingly.

(2) In relation to such a policeman, in these Regulations references to the war service provisions of a pension scheme are references to the provisions of the scheme analogous to those of the 1979 Regulations, and “war service” has the same meaning as in those provisions.

(3) The appropriate police authority may require that any claim that a regular policeman satisfies the condition referred to in paragraph (1)(c), and as to the duration of his war service, be supported by a certificate given by or on behalf of the person responsible for the management of the pension scheme appropriate to his qualifying service, and the police authority shall be entitled to rely upon a certificate so given.

5.—(1) Subject to the following provisions of this Regulation, the 1979 Regulations shall apply in the case of a regular policeman to whom this Part applies as if references in those Regulations to a qualified policeman were references to a regular policeman to whom this Part applies.

(2) Where a regular policeman to whom this Part applies elects only as mentioned in Regulation 8(1) of the 1979 Regulations, the principal Regulations or, as the case may be, the old cases Regulations shall have effect as though he had been entitled, immediately before his retirement (or death while serving) to reckon an additional period of pensionable service equal to the following proportion of his war service, namely—

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- (a) 47.75% thereof, where the qualifying service is fire service or Northern Ireland police or fire service;
 - (b) 35.25% thereof, where the qualifying service is National Health Service or service in health and personal social services in Northern Ireland, or local government service or Northern Ireland local government service; and
 - (c) 34.875% thereof, where the qualifying service is teaching service or Northern Ireland teaching service.
- (3) Where a policeman so elects, his pension shall, notwithstanding the preceding paragraph, be deemed for the purposes excepted in the said Regulation 8(1) to be the pension to which he would be entitled without his additional period of pensionable service under that paragraph, save that that period shall count for the purposes of Part II of Schedule 3 to the old cases Regulations (preserved rate of widow's pension calculated by reference to the husband's pensionable service).