
STATUTORY INSTRUMENTS

1987 No. 2215

The Police Pensions (Purchase of Increased Benefits) Regulations 1987

PART II

PURCHASE OF INCREASED BENEFITS

Election to purchase increased benefits

3.—(1) Subject to paragraph (2), an eligible policeman may, for the purpose of reckoning an additional number of sixtieths in calculating the awards payable to, or in respect of, him under the principal Regulations, by notice in writing to the police authority elect to make payment to the authority in accordance with the following provisions of these Regulations.

(2) A policeman shall not so exercise the right of election accorded by paragraph (1) that the aggregate number of sixtieths reckonable by him exceeds or, if he continued to serve until his retirement date, would exceed 40.

(3) When the retirement date of a policeman who has exercised the right of election accorded by paragraph (1) becomes later than it was at the time of his election by reason of his subsequent promotion or the subsequent postponement of that date under regulation A18(2) of the principal Regulations, then, notwithstanding that he may derive no benefit from his election, his liability to make payment in accordance with the following provisions of these Regulations shall not be affected and he shall not be entitled to the repayment of any lump sum or contribution so paid. Lump sum payments

4.—(1) An eligible policeman who is serving as a regular policeman may, within 12 months of—

- (a) the date on which he last became a regular policeman, or
- (b) 1st February 1988,

whichever is the later, elect under regulation 3 to make payment by a lump sum calculated in accordance with paragraph 1 or 3, as the case may require, of Part I of the Schedule.

(2) An eligible policeman who has ceased to serve as a regular policeman, but who was so serving on 1st February 1988, may within 12 months of 1st February 1988 elect under regulation 3 to make payment by a lump sum calculated in accordance with the said paragraph 1 or 3.

(3) A lump sum payment under this regulation shall be made within 3 months of the date of election and, if it is not so made, the election shall be deemed for the purposes of these Regulations never to have been made.

Payment by periodical contributions

5.—(1) An eligible policeman who is serving as a regular policeman whose retirement date falls not less than 2 years after his birthday next following 1st February 1988 may at any time—

- (a) within 12 months of 1st February 1988, or
- (b) not later than 2 years immediately preceding his retirement date,

elect under regulation 3 to make payment by periodical contributions calculated in accordance with paragraph 2 or 3, as the case may require, of Part I of the Schedule.

(2) Subject to the following provisions of this regulation and to regulation 7, where a policeman elects to make payment under this regulation, the periodical contributions shall be made as from the date of his birthday falling within the year beginning with the date of his election and shall continue until—

- (a) his retirement date as at the time of his election, or
- (b) the date on which he ceases to serve as a regular policeman,

whichever is the earlier.

(3) Where a policeman elects to make payment under this regulation within 12 months of 1st February 1988 but less than 2 years before his retirement date the election shall be deemed to have been made on a date 2 years before the said retirement date and any arrears of contributions due by virtue of this paragraph shall be paid in a lump sum within 3 months of the date on which he elects:

Provided that where such a lump sum is not so paid, the foregoing provisions of this paragraph shall not have effect.

(4) In the case of a regular policeman who has elected to make payment under this regulation and who, having retired with an ill-health pension before his retirement date, resumes service as such, the periodical contributions shall again become payable and shall continue as provided in paragraph (2).

(5) Where a policeman elects to make payment under this regulation, the periodical contributions payable by him for any period shall not, when aggregated with any other pension contributions (including additional, further and special contributions, if any) payable by him for that period, exceed 15% of his pensionable pay but, where a policeman's periodical contributions are restricted by this paragraph, he shall make a lump sum payment of an amount determined by the Government Actuary to be the actuarial equivalent of the difference between the restricted periodical contributions payable and those which would be payable but for this paragraph.

Conditions relating to the making of elections

6.—(1) An eligible policeman who is serving as a regular policeman shall not be entitled to elect under regulation 3 to make payment by periodical contributions if he has been required to retire under regulation A20 of the principal Regulations.

(2) An eligible policeman shall not, if the police authority so resolve, be entitled to elect under regulation 3 to make payment by periodical contributions unless he has undergone a medical examination and satisfied the authority as to his good health; and any fee payable in respect of that examination shall be paid by him.

Effect of election

7. Subject to regulations 4(3) and 5(3), an election made under regulation 3 shall take effect as from the date on which the police authority receive notice in writing thereof and shall be irrevocable, save that where the police authority are satisfied that the payment of periodical contributions in accordance with such an election is causing, or is likely to cause, financial hardship they may consent to the discontinuance of such contributions for such period as they think fit.

Reckoning of additional benefits

8.—(1) Where a regular policeman who has made an election under regulation 3 and paid a lump sum or commenced payment of periodical contributions in accordance with that election dies in service, retires on ill-health grounds, or retires on or after reaching his retirement date as at the time of his election, he shall be entitled to reckon all the additional benefits which he elected to purchase,

save that where he had discontinued payment of periodical contributions on grounds of financial hardship under regulation 7 he shall be entitled to reckon a proportion of such benefits determined in accordance with the formula set out in sub-paragraph (a) of Part II of the Schedule.

(2) Subject to paragraph (3), where a regular policeman who has made an election under regulation 3 and paid a lump sum or commenced payment of periodical contributions in accordance with that election ceases to be a member of a police force in circumstances other than those set out in paragraph (1) and with no entitlement to an award by way of

repayment of his aggregate pension contributions other than an award under paragraph 8 of Part I of Schedule J to the principal Regulations, he shall be entitled to reckon—

(a) in the case of a lump sum payment, all the additional benefits which he elected to purchase; and

(b) in the case of payment of periodical contributions, a proportion of such benefits determined in accordance with the formula referred to in sub-paragraph (b) of Part II of the Schedule.

(3) Where a regular policeman retires with an ordinary pension before his retirement date as at the time of his election, the amount which he is entitled to reckon under sub-paragraph (a) or (b) of paragraph (2) shall be reduced by an amount determined by the appropriate actuarial valuation referred to in sub-paragraph (c) of Part II of the Schedule.