
STATUTORY INSTRUMENTS

1987 No. 257

The Police Pensions Regulations 1987

Part B

Personal Awards

Allocation

B9.—(1) This Regulation shall apply to an ordinary, short service, ill-health or deferred pension under this Part.

(2) A regular policeman who is entitled to reckon not less than 25 years' pensionable service may, subject to and in accordance with this Regulation, allocate a portion of any ordinary or ill-health pension to which he is or may become entitled and, notwithstanding that he has already allocated a portion of such a pension, he may—

- (a) allocate a further portion of that pension in favour of the beneficiary of a previous allocation;
- (b) where that beneficiary has died, allocate a further portion of that pension in favour of some other beneficiary, or
- (c) where (not having attained the age of 70 years) he proposes to marry or remarry, allocate a further portion of that pension in favour of his spouse by that marriage.

(3) A regular policeman may, subject to and in accordance with this Regulation, allocate a portion of any short service pension to which he is or may become entitled or of a deferred pension and, notwithstanding that he has already allocated a portion of such a pension, he may, where (not having attained the age of 70 years) he proposes to marry or remarry, allocate a further portion of that pension in favour of his spouse by that marriage.

(4) For the purpose of allocating a portion of his pension a policeman shall—

- (a) within the time limits mentioned in paragraph (5), give notice in writing to the police authority of the force in which he is serving or by whom his pension is payable (“notice of allocation”) stating—
 - (i) his wish to surrender so much of his pension as, subject to the limitations contained in Regulation B10, he may specify,
 - (ii) the person in whose favour the surrender is to take effect (“the beneficiary”) being his wife or some other person who the police authority are satisfied is substantially dependent upon him,
 - (iii) in the case of a policeman entitled to reckon not less than 25 years' pensionable service who has not retired, whether or not he wishes the notice to become effective while he is serving, and
- (b) satisfy the police authority of his good health and for that purpose submit himself to such medical examination as they may require.

(5) Notice of allocation shall be given—

- (a) where in such case as is mentioned in paragraph (4)(a)(iii) the policeman wishes the notice to become effective while he is serving, before his intended retirement;
 - (b) where a person in receipt of a pension who has not attained the age of 70 years proposes to marry or remarry and the beneficiary is his spouse by that marriage, before but not earlier than 4 months before his intended marriage;
 - (c) where the pension is a deferred pension but the preceding sub-paragraph does not apply, before but not earlier than 4 months before the pension comes into payment;
 - (d) in any other case, before but not earlier than 4 months before the person's intended retirement.
- (6) Where a person has complied with the provisions of sub-paragraphs (a) and (b) of paragraph (4), the police authority shall forthwith send to him a written notification that they have accepted the notice of allocation, which shall become effective—
- (a) in any such case as is mentioned in paragraph (5)(a) where he wishes the notice of allocation to become effective while he is serving, as from the time when the notification is received by him or, if sent by post, as from the time when it would be received by him in the ordinary course of post, except that it shall have effect as from the date of his retirement if that is earlier;
 - (b) in any such case as is mentioned in paragraph (5)(b), if, and only if, the proposed marriage takes place within 4 months of giving the notice of allocation and in that event as from the date of the marriage;
 - (c) in any such case as is mentioned in paragraph (5)(c), if, and only if, the deferred pension comes into payment within 4 months of giving the notice of allocation and in that event as from the date it comes into payment;
 - (d) in any other case, if, and only if, the person retires within 4 months of giving the notice of allocation and in that event as from the date of retirement.
- (7) Where a person retires or has retired in circumstances entitling him to a pension to which a notice of allocation given by him relates and that notice becomes effective—
- (a) that pension shall be reduced in accordance with the notice (notwithstanding the previous death of the beneficiary) as from the date from which the pension is payable or on which the notice becomes effective, whichever is the later, and
 - (b) the police authority shall, as from the person's death, pay to the beneficiary specified in the notice, if that person survives him, a pension of such amount as is the actuarial equivalent of the surrendered portion of the pension.
- (8) For the purposes of paragraph (7)(b) the actuarial equivalent of the surrendered portion of the pension shall be calculated from tables prepared by the Government Actuary and in force at the time when the notice of allocation became effective, which tables shall—
- (a) take account of the age of the regular policeman and of the age of the beneficiary at that time, and
 - (b) make different provision according to whether or not the notice of allocation became effective in accordance with paragraph (6)(a), and separate calculations shall be made in respect of separate allocations.
- (9) Where a person was entitled to reckon at least 25 years' pensionable service when he gave the notice of allocation and stated therein his wish that it should become effective while he was serving, then, if he dies before retiring, the police authority shall pay to the beneficiary the like pension that they would have paid by virtue of that notice if he had retired with a pension immediately before he died.

(10) Any reference in these Regulations to a widow's pension, however expressed, shall be construed as excluding a reference to a pension payable to a widow under this Regulation.

(11) This Regulation has effect subject to paragraph 8(11) of Part I of Schedule J.