
STATUTORY INSTRUMENTS

1987 No. 257

The Police Pensions Regulations 1987

Part F

Pensionable Service and Transfer Values

Previous service reckonable at discretion of police authority

F5.—(1) Subject to Regulation F9(4) (*interchange arrangements*), if the appropriate police authority in their discretion have so decided, there shall be reckonable by a regular policeman as pensionable service, in the circumstances specified in this Regulation, the periods so specified before he last joined or rejoined the force before the relevant date, subject, in the case of such a period as is mentioned in paragraph (2), to his having made to that police authority the appropriate payment.

(2) Where before the relevant date he ceased to serve as a regular policeman without a pension (including a pension under the former Acts)—

- (a) the period shall be the whole of any period of pensionable service, or approved service under the former Acts, reckonable by him at the time he ceased to serve, not being a period reckonable by virtue of Regulation F2(1)(b) or F4(2), or so much of that period as the appropriate police authority in their discretion think fit;
- (b) the appropriate police authority shall be the authority of the force in which he is or was serving on the relevant date, and
- (c) the appropriate payment shall be the whole or the proportionate part of an amount equal to any gratuity or return of pension contributions or rateable deductions, as the case may be, which he may have received on ceasing to serve together with the balance outstanding immediately before so ceasing of any sum he had undertaken to pay as mentioned in Part I of Schedule F so however that where, before so ceasing and in pursuance of an election under Regulation 58 or 59 of the Regulations of 1973 or under any of the provisions mentioned in Regulation 57(2) of those Regulations, he had paid additional or further contributions or had made an additional or further payment by way of a lump sum, the appropriate payment shall be reduced by the whole or the proportionate part of the amount he had paid by way of such contributions or lump sum and he shall be treated for the purposes of these Regulations as having neither paid nor elected to pay such contributions or lump sum.

For the purposes of sub-paragraph (c) where the police authority exercise their discretion under sub-paragraph (a) so as to allow the policeman to reckon as pensionable service part only of the period first mentioned therein, “the proportionate part” means the part which bears the same proportion to the whole as that part of the period so mentioned bears to the whole thereof.

(3) Where before the relevant date he ceased to serve with a deferred pension but has relinquished his entitlement thereto by written notice given to the police authority for the purposes of this Regulation or of Regulation F4 (or of the corresponding provisions of the Regulations of 1973), paragraph (2) shall have effect as though he had ceased to serve without a pension and, where immediately before ceasing to serve he was paying such additional or further contributions as are mentioned in paragraph (2)(c), the amount he had paid by way of such contributions shall be repaid

to him by the police authority of the force in which he ceased to serve and he shall be treated for the purposes of these Regulations as having neither paid nor elected to pay such contributions:

Provided that the police authority shall not so exercise their discretion under paragraph (2)(a) that the period of pensionable service reckonable thereunder is less than that taken into account for the purposes of calculating the deferred pension.

(4) Where a serviceman (1939–1945), after receiving a pension under the Police and Firemen (War Service) Acts 1939 and 1944⁽¹⁾, rejoined the force in which he is or was serving on the relevant date, being the force of the police authority by whom the pension was payable—

- (a) the period shall be the whole of the period for which he was in receipt of the said pension or such part thereof as the said police authority have, in their discretion, decided shall be reckonable;
- (b) the appropriate police authority shall be the police authority of the force in which he is or was serving on the relevant date.

(5) Paragraphs (2) and (3) have effect subject to paragraph 4 of Part IV of Schedule J.

(1) 1939 c. 103, 1944 c. 22.