

SCHEDULE B

Personal Awards

Part VII

Reduction of Pension at State Pensionable Age

Pension modifications connected with state flat-rate retirement benefit

1.—(1) Where, in respect of service as a regular policeman or as a member of the Royal Ulster Constabulary before 1st April 1980, a person has paid pension contributions at a rate of 6p a week (or 1s. 2d. a week) less than the appropriate percentage of his pensionable pay then, in respect of any period beyond state pensionable age, the unsecured portion of any ordinary, short service, ill-health or deferred pension payable to him shall be reduced in accordance with sub-paragraph (2) or, as the case may be, sub-paragraph (3).

(2) In the case of a person who paid contributions as aforesaid by reason of the giving of a notice—

- (a) under Regulation 41(3) of the Police Pensions Regulations 1948(1);
- (b) under Regulation 43(3) of the Police Pensions (Scotland) Regulations 1948(2), or
- (c) without prejudice to the generality of Regulation J2(2), under any corresponding provision of the Royal Ulster Constabulary pensions legislation,

the reduction under sub-paragraph (1) shall be calculated at an annual rate obtained by multiplying the sum in the second column of the following Table set opposite to the age in the first column of the said Table which he had attained at the appropriate date by the number of years specified in sub-paragraph (4):—

Table

Age in years at appropriate date	Sums to be multiplied £
Under 23	1.70
23	1.65
24	1.60
25	1.55
26	1.525
27	1.50
28	1.475
29	1.45
30	1.425
31	1.40
32	1.375

(1) S.I. 1948/1531.

(2) S.I. 1948/1530.

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Age in years at appropriate date	Sums to be multiplied £
33	1.35
34	1.325
35	1.30
36	1.30
37	1.275
38	1.25
39	1.25
40	1.225
41	1.225
42	1.20
43	1.20
44 or over	1.175

In this sub-paragraph the expression “appropriate date” means, subject to sub-paragraph (5), 5th July 1948, or, in the case of a person who was then an auxiliary policeman, the date on which he first thereafter became a regular policeman.

(3) In the case of a person who paid contributions as aforesaid, otherwise than as mentioned in sub-paragraph (2), the reduction under sub-paragraph (1) shall be calculated at an annual rate obtained by multiplying £1.70 by the number of years specified in sub-paragraph (4).

(4) The number of years referred to in sub-paragraph (2) or (3) is, subject to the following sub-paragraphs, the period in years of service before 1st April 1980 either as a regular policeman or as a member of the Royal Ulster Constabulary in respect of which the person concerned paid pension contributions at such a rate as is mentioned in sub-paragraph (1):

Provided that there shall be excluded from the said period any period or periods—

- (a) by reason of which the person concerned is not entitled to reckon pensionable service for the purposes of the pension in question, or
- (b) which fell after the date on which the person concerned would have been entitled, if he had retired, to a pension equal to two thirds of his average pensionable pay.

(5) In the case of a person who—

- (a) first became a regular policeman on or after 1st January 1963;
- (b) before 1st April 1980 became entitled to reckon pensionable service by reason of service or employment (otherwise than as a member of a police force or of the Royal Ulster Constabulary) in respect of which he was subject to superannuation arrangements (“the former service”);
- (c) was subject to the operation of any regulations made under section 69(4) of the National Insurance Act 1946⁽³⁾ or section 110(1) of the National Insurance Act 1965⁽⁴⁾ or of other provisions modifying those superannuation arrangements in connection with the passing of the said Act of 1946 (“the modifications”), and
- (d) is entitled to reckon that pensionable service for the purposes of the pension in question,

⁽³⁾ 1946 c. 67.

⁽⁴⁾ 1965 c. 51.

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the period in years specified in sub-paragraph (4) shall be increased by that period of pensionable service and, if he was subject to the modifications by virtue of an election made or notice given, the expression “appropriate date” in sub-paragraph (2) shall mean the date on which that election or notice became effective:

Provided that where only a proportion of the former service would have been taken into account for the purposes of the modifications, only that proportion of the pensionable service reckonable by virtue thereof shall be taken into account in determining the increase hereunder in the period specified in sub-paragraph (4).