

SCHEDULE J

Special Cases—Exceptions and Modifications

Part IV

Pensionable Service

Policeman with service or employment both before, and on or after, 6th April 1978

Application of Regulation F4 or F5 to policeman who has relinquished deferred pension under paragraph 8 of Part I of this Schedule

4.—(1) This paragraph shall apply in the case of such a regular policeman as is mentioned in sub-paragraph (1) of paragraph 8 of Part I of this Schedule (“the principal paragraph”) who—

- (a) has exercised the right of election conferred by sub-paragraph (2) of that paragraph and has become entitled to such a deferred pension as is mentioned in sub-paragraph (6)(b) thereof, but
- (b) has relinquished his entitlement to that pension by written notice given to the police authority for the purposes of Regulation F4 or F5 (*previous service reckonable on payment or at discretion of police authority*).

(2) In the case of such a policeman, no account shall be taken for the purposes of Regulation F4(3) or F5(3) of any additional or further contributions or of any additional or further payment by way of a lump sum of which account was taken for the purposes of an award under the principal paragraph by way of repayment of his aggregate contributions.

(3) Notwithstanding anything in Regulation F5(2), for the purposes of sub-paragraph (c) thereof where the police authority have exercised their discretion under sub-paragraph (a) thereof so as to allow such a policeman to reckon as pensionable service part only of the period first mentioned therein, “the proportionate part” shall mean that part which bears the same proportion to the whole as the first of the following periods bears to the second such period, namely—

- (a) the period of pensionable service the policeman is so allowed to reckon reduced by that taken into account under the principal paragraph for the purposes of calculating his deferred pension, and
- (b) the period of pensionable service first mentioned in sub-paragraph (a) of Regulation F5(2) so reduced.