

SCHEDULE J

Special Cases—Exceptions and Modifications

Part VI

Pensionable Pay and Contributions Etc.

Notional pensionable pay

Certain senior officers with service on or after 1st August 1975

1.—(1) This paragraph shall apply in the case of a regular policeman of a rank above that of superintendent who has served as such during a period beginning on or after 1st August 1975 (“the relevant period”).

(2) Notwithstanding anything in these Regulations, an award to or in respect of such a regular policeman shall not be less than it would have been had the pay to which he was entitled as a member of a police force, in respect of the relevant period, fallen to be calculated in accordance with the scale of pay in force immediately before 1st August 1975 for a member of that force holding the rank, or the rank and office, held by him during the relevant period:

Provided that where the award is an ordinary pension which falls to be reduced in accordance with paragraph 6 of Part VIII of Schedule B, the reduction shall be calculated without regard to this paragraph.

Policeman with service between 31st August 1978 and 1st May 1979

2.—(1) This paragraph shall apply in the case of a member of a police force who has served as such for any period beginning on or after 1st September 1978 and ending before 1st May 1979 (“the relevant period”).

(2) Notwithstanding anything in these Regulations, an award to or in respect of such a regular policeman shall be calculated as if the pay to which he was entitled in respect of the relevant period had been that to which a regular policeman would have been entitled in respect of a corresponding period beginning with 1st May 1979, disregarding any increase in pay which took effect after that date, if his circumstances had been identical to those during the relevant period of the regular policeman concerned.

Transferred member of the British Airports Authority constabulary

Payments by way of special contributions or reduction in pension

3.—(1) This paragraph shall apply in the case of a regular policeman entitled to reckon pensionable service by virtue of Regulation F3(1)(f) (*British Airports Authority constabulary service*) and, in this paragraph, “the Airports Scheme” means the superannuation scheme applicable to him before his transfer from the said constabulary.

(2) Where such a regular policeman elected, in accordance with paragraph (2)(b) of Regulation 61A of the Regulations of 1973, to pay special contributions and his liability thereunder to pay those contributions did not cease before 1st April 1987, he shall continue to pay special contributions until he attains the age of 50 years or sooner retires, and those contributions shall be so payable at the rate, expressed as a percentage of pensionable pay, at which they were payable under the said Regulation 61A before 1st April 1987.

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(3) Where immediately before retiring when entitled to an ordinary pension such a regular policeman was paying special contributions under this paragraph or under the said Regulation 61A, paragraph 6 of Part VIII of Schedule B shall have effect in relation to his ordinary pension as if any reference therein to additional or further contributions in pursuance of an election under Regulation 58(2) or (3) of the Regulations of 1973 included a reference to such special contributions.

(4) Where such a regular policeman—

- (a) before his transfer was granted a back service credit within the meaning of the Airports Scheme,
- (b) has been married at any time during his membership of that Scheme or while entitled to reckon pensionable service by virtue of Regulation F3(1)(f) or of Regulation 48(f) of the Regulations of 1973, and
- (c) did not elect, in accordance with Regulation 61A(2)(a) or (b) of the Regulations of 1973, to make a special payment or to pay special contributions,

any ordinary, short service, ill-health or deferred pension (other than a deferred pension in pursuance of paragraph 8(6)(b) of Part I of this Schedule) payable to him shall be reduced by such percentage, determined by the Government Actuary or in accordance with tables prepared by him, that the reduction is the actuarial equivalent of the amount certified by BAA plc to be the actuarial equivalent at the date of his transfer of the contributions requisite under the Airports Scheme for securing family benefits in respect of the back service credit (after taking account of any payments made by him, or on his behalf, for that purpose before that date) subject, however, to sub-paragraph (5).

(5) Where the back service credit exceeded the previous service by reason of which it was given (otherwise than by reason of that service being wholly or partly service in a particular territory overseas), for the purposes of the certificate mentioned in sub-paragraph (4)—

- (a) account shall be taken of that part only of the back service credit which does not exceed the previous service, but
- (b) any payments made before the date of transfer for the purpose of securing family benefits in respect of the back service credit shall be treated as having been made in respect of that part.

(6) Except where the context otherwise requires, in the case of such a regular policeman any reference in these Regulations—

- (a) to additional or further contributions shall be construed as including a reference to special contributions under this paragraph or Regulation 61A of the Regulations of 1973;
- (b) to an additional or further payment by way of a lump sum shall be construed as including a reference to a special payment by way of a lump sum under the said Regulation 61A;
- (c) to the reduction of a pension in accordance with Part VIII of Schedule B shall be construed as including a reference to such a reduction in accordance with the said Part VIII as it has effect in pursuance of sub-paragraph (3).