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STATUTORY INSTRUMENTS

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**2015 No. 445**

**The Police Pensions Regulations 2015**

**PART 2**

Establishment of scheme for members of a police force

**Establishment of scheme**

3. These Regulations establish a scheme for the payment of pensions and other benefits to or in respect of members of a police force <sup>M1</sup> in England and Wales other than special constables or police cadets <sup>M2</sup>.

**Marginal Citations**

- M1** Under paragraph 7 of Schedule 1 to the Act, “members of a police force” in relation to England and Wales includes special constables and police cadets. See section 101 of PA 1996 for the meaning of “police force”.
- M2** [See the Special Constables \(Pensions\) Regulations 1973 \(S.I. 1973/431\) and the Police Cadets \(Pensions\) Regulations 1973 \(S.I. 1973/430\).](#)

**Members of a home police force**

- 4.—(1) In these Regulations, “member of a home police force” means—
- (a) a member of a police force maintained under section 2 of PA 1996;
  - (b) a member of the metropolitan police force; or
  - (c) a member of the City of London police force.
- (2) For the purpose of paragraph (1)—
- (a) “a member of a police force maintained under section 2 of PA 1996” does not include a special constable or a police cadet;
  - (b) “a member of the metropolitan police force” does not include a special constable or a police cadet;
  - (c) “a member of the City of London police force” does not include a special constable or a police cadet.
  - (d) the commissioner, deputy commissioner, assistant commissioners and deputy assistant commissioners of police of the metropolis are deemed to be members of the metropolitan police force; and
  - (e) the commissioner and assistant commissioners of police for the City of London are deemed to be members of the City of London police force.
- (3) For the purpose of these Regulations, a member of a home police force remains in service as a member of that police force during—

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- (a) a career break; and
- (b) any other period of unpaid leave—
  - (i) that does not exceed 5 years; and
  - (ii) during which the employment relationship continues <sup>M3</sup>.

**Marginal Citations**

**M3** See regulation 22 for periods of unpaid leave during which the employment relationship continues.

**Members of a police force other than a home police force**

- 5.—(1) For the purpose of these Regulations—
- (a) a body mentioned in column 2 of the table is deemed to be a police force in England and Wales to the extent that the person described in the corresponding item in column 1 is employed by that body; and
  - (b) the person described in column 1 of the table is deemed to be in service as a member of the police force mentioned in the corresponding item in column 2.
- (2) For the purpose of these Regulations, a member of a police force mentioned in column 2 of the table remains in service as a member of that police force during—
- (a) a career break; and
  - (b) any other period of unpaid leave—
    - (i) that does not exceed 5 years; and
    - (ii) during which the employment relationship continues <sup>M4</sup>.

<i>Item</i>	<i>Column 1 – Deemed members of a police force</i>	<i>Column 2 – Deemed police forces</i>
1	A person appointed as Chief Inspector of Constabulary who is a former member of a home police force, the Police Service of Scotland or the police service in Northern Ireland.	The body in or with which the person is serving.
2	A person engaged on service as an inspector of constabulary or an assistant inspector of constabulary who is a former member of a home police force, the Police Service of Scotland or the police service in Northern Ireland.	The body in or with which the person is serving.
3	A specified NCA officer <sup>M5</sup> based in England, Wales or Scotland.	The NCA.
4	A person engaged on service as chief executive of the body known as the College of Policing who immediately before beginning that service was in UK police service.	The College of Policing.

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| 5  | A person holding the office of constable who is engaged as a member of staff of the Disclosure and Barring Service and who immediately before becoming so engaged was in UK police service.                         | The Disclosure and Barring Service.              |
| 6  | A person engaged in accordance with arrangements made under paragraph 6(2) of Schedule 2 to the Police Reform Act 2002<br><small>M6</small><br>who immediately before becoming so engaged was in UK police service. | The Independent Police Complaints Commission.    |
| 7  | A person in service as an officer pursuant to an appointment made in connection with the provision by the Secretary of State of assistance under the International Development Act 2002<br><small>M7</small><br>.   | The body in or with which the person is serving. |
| 8  | A person appointed as Chief Inspector of the UK Border Agency who has held the office of constable and who immediately before the appointment was in UK police service.   | The department of the Secretary of State.        |
| 9  | A person engaged on temporary service in accordance with arrangements made under section 26(2) of PA 1996.  | The body in or with which the person is serving. |
| 10 | A person engaged on relevant service under section 97 of PA 1996.   | The department of the Secretary of State.        |
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- (3) For the purpose of the table, a person was in UK police service if the person was—
- (a) an active member or eligible to be an active member of a police pension scheme;
  - (b) in pensionable service or eligible to be in pensionable service under the existing police pension scheme; or
  - (c) in service or eligible to be in service which was pensionable under the existing NI police pension scheme or the existing Scotland police pension scheme.
- (4) For the purpose of these Regulations, a person engaged on relevant service under section 97 of PA 1996 as a National Crime Agency officer who is based in Scotland is deemed to be in service as a member of a police force in England and Wales other than a home police force.

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**Marginal Citations**

- M4** See regulation 22 for periods of unpaid leave during which the employment relationship continues.
- M5** See regulation 6 for the meaning of “specified NCA officer”.
- M6** 2002 c. 30.
- M7** 2002 c. 1.

**Meaning of “specified NCA officer”**

**6.—**(1) For the purpose of these Regulations, a person in service as a National Crime Agency officer is a specified NCA officer if paragraph (2), (3) or (4) applies.

- (2) This paragraph applies if—
  - (a) the person's service is as the Director General of the NCA; and
  - (b) immediately before beginning that service, the person was in UK police service.
- (3) This paragraph applies if—
  - (a) the person is in service as an NCA officer in a role that is designated by the Director General of the NCA, with the agreement of the Treasury, as a role that requires police skills; and
  - (b) immediately before beginning that service, the person was in UK police service.
- (4) This paragraph applies if—
  - (a) the person is a transition member; and
  - (b) immediately before becoming an active member of this scheme, the person's service as a National Crime Agency officer was eligible service within the meaning of section 11(9) to (13) of the Police Pensions Act 1976 <sup>M8</sup>.

**Marginal Citations**

- M8** 1976 c. 35.

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