

2012 No. 640

POLICE, ENGLAND AND WALES

PENSIONS, ENGLAND AND WALES

The Police Pensions (Amendment) Regulations 2012

Made - - - - - *28th February 2012*

Laid before Parliament *5th March 2012*

Coming into force - - - *1st April 2012*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 1 to 7 of the Police Pensions Act 1976(a).

In accordance with section 1(1) of that Act, the Treasury(b) have consented to the making of these Regulations and the Secretary of State has consulted with the Police Negotiating Board for the United Kingdom(c).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police Pensions (Amendment) Regulations 2012 and shall come into force on 1st April 2012.

(2) These Regulations extend to England and Wales.

Amendment to the Police Regulations 1987

2.—(1) The Police Pensions Regulations 1987(d) are amended as follows.

(2) For regulation G2 (pension contribution payable by regular policeman) substitute—

“Pension contribution payable by regular policeman

G2.—(1) Subject to paragraph (3), a regular policeman whose basic annual salary—

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- (a) 1976 c. 35. Sections 1 to 7 were amended by section 2(3) of the Police Negotiating Board Act 1980 (c. 10), paragraph 19 of Schedule 5 to the Police and Magistrates’ Courts Act 1994 (c. 29), paragraphs 28 and 29 of Schedule 7 to the Police Act 1996 (c. 16), section 1(1) and (2) of the Police and Firemen’s Pensions Act 1997 (c. 52), section 78(2)(f) of the Police (Northern Ireland) Act 2000 (c. 32), section 126(1) of and paragraph 6(1) and (2) of Schedule 4 to the Criminal Justice and Police Act 2001 (c.16), paragraph 6(1) of Schedule 3 to the International Development Act 2002 (c.1), paragraph 30 of Schedule 4 to the Serious Organised Crime and Police Act 2005 (c. 15), paragraph 58 of Schedule 1 and Part 1(A) of Schedule 15 to the Police and Justice Act 2006 (c. 48), paragraph 11(2) of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006 (c. 47), paragraph 2(2) of the Schedule to S.I. 2007/1098 and paragraphs 128 to 130 of Schedule 16 to the Police Reform and Social Responsibility Act 2011 (c. 13).
- (b) The functions of the Minister for the Civil Service were transferred to the Treasury by the Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I. 1981/1670).
- (c) See section 61 of the Police Act 1996.
- (d) S.I. 1987/257. Regulation G2 was amended by S.I. 1990/805, S.I. 2004/2354 and S.I. 2011/3063.

- (a) is less than £60,000 shall pay to the police pension authority pension contributions at the rate of 1p a week less than—
 - (i) in a case where he is ineligible under regulation G7 or G8 for a pension award payable on the ground of permanent disablement, 8.75 per cent of his pensionable pay; and
 - (ii) in any other case, 12.25 per cent of his pensionable pay;
- (b) is £60,000 or more shall pay to the police pension authority pension contributions at the rate of 1p a week less than—
 - (i) in a case where he is ineligible under regulation G7 or G8 for a pension award payable on the ground of permanent disablement, 9 per cent of his pensionable pay; and
 - (ii) in any other case, 12.5 per cent of his pensionable pay.

(2) The pension contributions payable under paragraph (1) upon each instalment of pay shall fall due at the same time as the instalment and may, without prejudice to any other method of payment, be discharged by way of a reduction of the appropriate amount made by the police pension authority from the said instalment.

(3) Paragraph (1) shall not apply in the case of a regular policeman who has made an election under regulation G4(1) which is, for the time being, in effect.

(4) For the purposes of this regulation “basic annual salary” means—

- (a) in the case of a regular policeman in full-time service, the salary payable to that regular policeman in accordance with a determination made by the Secretary of State under regulation 24 or 27 of the Police Regulations 2003(a); and
- (b) in the case of a regular policeman in part-time service, the salary that would be payable to that regular policeman in accordance with such a determination if he was in full-time service,

and does not include any bonus, weighting or other payment payable to the regular policeman in accordance with such a determination.”.

Amendment to the Police Pensions Regulations 2006

3.—(1) The Police Pensions Regulations 2006(b) are amended as follows.

(2) For regulation 7 (pension contributions payable by regular police officers) substitute—

“Pension contributions payable by regular police officers

7.—(1) Subject to paragraph (3), a regular police officer whose basic annual salary—

- (a) is £27,000 or less shall pay to the police pension authority pension contributions at the rate of—
 - (i) in a case where he is ineligible under regulation 8 for a pension award payable on the ground of permanent disablement, 6.6 per cent of his pensionable pay; and
 - (ii) in any other case, 10.1 per cent of his pensionable pay;
- (b) is more than £27,000 but less than £60,000 shall pay to the police pension authority pension contributions at the rate of—
 - (i) in a case where he is ineligible under regulation 8 for a pension award payable on the ground of permanent disablement, 7 per cent of his pensionable pay; and
 - (ii) in any other case, 10.5 per cent of his pensionable pay;

(a) S.I. 2003/527. Regulation 24 was amended by S.I. 2006/3449 and S.I. 2011/3026.

(b) S.I. 2006/3415. Regulation 7 was amended by S.I. 2011/3063.

- (c) is £60,000 or more shall pay to the police pension authority pension contributions at the rate of—
 - (i) in a case where he is ineligible under regulation 8 for a pension award payable on the ground of permanent disablement, 7.25 per cent of his pensionable pay; and
 - (ii) in any other case, 10.75 per cent of his pensionable pay.

(2) The pension contributions payable under paragraph (1) upon each instalment of pay shall fall due at the same time as the instalment and may, without prejudice to any other method of payment that may be agreed by the police pension authority in exceptional circumstances, be discharged by way of a reduction of the appropriate amount made by the police pension authority from the instalment.

(3) Paragraph (1) shall not apply in the case of a regular police officer who has made an election under regulation 9 which is, for the time being, in effect.

(4) For the purposes of this regulation “basic annual salary” means—

- (a) in the case of a regular policeman in full-time service, the salary payable to that regular policeman in accordance with a determination made by the Secretary of State under regulation 24 or 27 of the Police Regulations 2003; and
- (b) in the case of a regular policeman in part-time service, the salary that would be payable to that regular policeman in accordance with such a determination if he was in full-time service,

and does not include any bonus, weighting or other payment payable to the regular policeman in accordance with such a determination.”.

Amendments to the Police Pensions (Purchase of Increased Benefits) Regulations 1987

4.—(1) The Police Pensions (Purchase of Increased Benefits) Regulations 1987(a) are amended as follows.

(2) In regulation 5 (payment by periodical contributions), for paragraph (5) substitute—

“(5) Where a policeman elects to make payment under this regulation—

- (a) the periodical contributions payable by him for any period shall not, when aggregated with any other pension contributions (including additional, further and special contributions, if any) payable by him for that period, exceed $(4 + X)\%$ of his pensionable pay, where X is the rate of contributions payable by the policeman under regulation G2(1) of the principal regulations; and
- (b) where a policeman’s periodical contributions are restricted by sub-paragraph (a), he shall make a lump sum payment of an amount determined by the Government Actuary to be the actuarial equivalent of the difference between the restricted periodical contributions payable and those which would be payable but for that sub-paragraph.”.

(3) In Part 1 of the Schedule (payments), omit paragraph 4 (Inland Revenue limits on contributions).

(a) S.I. 1987/2215. Relevant amendments are made by S.I. 2005/1439.

Home Office
23rd February 2012

Nick Herbert
Minister of State

We consent

Michael Fabricant
Angela Watkinson

28th February 2012

Two of the Lords Commissioners of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Pensions Regulations 1987 and the Police Pensions Regulations 2006 in order to increase the rates of contribution payable by members of the police pension schemes governed by those Regulations.

They also amend the Police Pensions (Purchase of Increased Benefits) Regulations 1987 in order to change the limit on the aggregate contributions payable by a member from a flat rate of 15% of the member's pensionable pay to a percentage of the member's pensionable pay calculated by adding 4 to the rate of contributions payable by the member under regulation G2(1) of the Police Pensions Regulations 1987.

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