1988 No. 378

POLICE

Royal Ulster Constabulary Pensions (War Service) (Transferees) (Amendment) Regulations 1988

Made . . . . . *3rd October 1988*

Coming into operation . . *1st January 1989*

To be laid before Parliament

The Secretary of State, in pursuance of section 25 of the Police Act (Northern Ireland) 1970(**a**), read with Articles 14 and 15 of the Superannuation (Northern Ireland) Order 1972(**b**), and after consulting, in accordance with section 34(2) of the said Act of 1970, the Police Authority for Northern Ireland and the Police Association for Northern Ireland, and in accordance with section 2(3) of the Police Negotiating Board Act 1980(**c**), the Police Negotiating Board for the United Kingdom, hereby, with the concurrence of the Treasury, makes the following regulations:—

Citation, commencement and effect

1.—(1) These regulations may be cited as the Royal Ulster Constabulary Pensions (War Service) (Transferees) (Amendment) Regulations 1988.

(2) The regulations shall come into operation on 1st January 1989 and shall have effect as from 1st April 1978.

Amendments to 1986 Regulations

2.—(1) The Royal Ulster Constabulary Pensions (War Service) (Transferees) Regulations 1986(**d**) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 4 for the words "regulations 6 and 9" there shall be substituted the words "regulations 7 and 10".

(3) After regulation 10(2) there shall be inserted the following paragraph:—

"(2A) In the case of a former member who, notwithstanding that no such transfer value as is mentioned in paragraph (2)(*b*) has been paid in respect of him, was on 1st April 1978, or immediately before his retirement or death, if earlier, entitled to reckon service as a member for the purposes of the 1978 scheme—

(**a**) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670
(**b**) S.I. 1972/1073 (N.I. 10)
(**c**) 1980 c. 10
(**d**) S.R. 1986 No. 200, as amended by S.R. 1988 No. 378

(*a*) paragraph (1)(*b*) shall have effect as if for the reference therein to paragraph (2) there were substituted a reference to paragraph (2)(*a*), and

(*b*) regulations 11 and 12 shall have effect as if such a transfer value had been paid.".

Tom King
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
3rd October 1988

David Lightbown
Tony Durant
Two of the Lords Commissioners of Her Majesty's Treasury

We concur,
19th October 1988

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations, which come into operation on 1st January 1989, amend the Royal Ulster Constabulary Pensions (War Service) (Transferees) Regulations 1986 ("the 1986 regulations") with effect from 1st April 1978 (the date as from which the 1986 regulations had effect: retrospection is authorised by Articles 14 and 15 of the Superannuation (Northern Ireland) Order 1972).

Regulation 2(2) corrects an error in regulation 4 of the 1986 regulations.

Regulation 2(3) enlarges the categories of members specified in regulation 10 of the 1986 regulations (in respect of whom an additional transfer value may be paid to permit war service to reckon in another scheme) so as to include a member in respect of whom no transfer value had been paid but who nevertheless was entitled to reckon service as a member for the purposes of the public service pension scheme to which he transferred.