
STATUTORY INSTRUMENTS

1969 No. 1880 (S. 168)

POLICE

**The Special Constables (Pensions) (Scotland)
Amendment (No. 3) Regulations 1969**

Made - - - - - *26th December 1969*
Laid before Parliament *31st December 1969*
Coming into force - - - *1st January 1970*

In exercise of the powers conferred on me by section 26 of the Police (Scotland) Act 1967 (as read with section 1(2) of the Police Pensions Act 1961), and of all other powers enabling me in that behalf, and after consultation with the Joint Central Committee and such bodies and associations as are mentioned in section 26(9)(b) of the said Act of 1967, I hereby make the following regulations:—

1. These regulations may be cited as the Special Constables (Pensions) (Scotland) Amendment (No. 3) Regulations 1969 and shall come into operation on 1st January 1970.

2. In these regulations any reference to the Instrument of 1966 is a reference to the Special Constables (Pensions) (Scotland) Regulations 1966(1), as amended(2).

3. For regulation 5(1) of the Instrument of 1966 (which relates to a widow's augmented award where her husband's death results from an attack or an injury received in effecting an arrest or preventing an escape or rescue) there shall be substituted the following provision :—

“5.—(1) This regulation shall apply to a widow of a special constable whose death is the result of an injury received without his own default in the execution of his duty where—

- (a) he was attacked by a person or persons in a manner which, in the opinion of the police authority, was intrinsically likely to cause death and death ensued on or after 2nd June 1949, as a result of the attack, or
- (b) the injury was received in the course of duties performed, in the opinion of the police authority, for the immediate purpose of effecting an arrest or of preventing an escape or rescue from legal custody and death ensued on or after 1st August 1964, or
- (c) the injury was received in the course of duties performed, in the opinion of the police authority—

(1) (1966 III, p. 5066).

(2) The relevant amending instrument is S.I. 1969/1529 (1969 III, p. 4960).

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- (i) for the immediate purpose of saving the life of another person or of preventing loss of human life, and
 - (ii) in circumstances in which there was an intrinsic likelihood of his receiving a fatal injury,
- and death ensued on or after 1st January 1970.”

4.—(1) In the application of the Police Pensions Regulations 1966⁽³⁾ to the calculation of an award in respect of a special constable under the Instrument of 1966, those regulations shall apply as amended by the Police Pensions (Amendment) (No. 3) Regulations 1969⁽⁴⁾ (which amendments relate to awards payable on death resulting from an injury received in the performance of life-saving duties).

(2) In accordance with paragraph (1) of this regulation, for regulation 2(1) of the Instrument of 1966 (which, as set out in the Special Constables (Pensions) (Scotland) Amendment (No. 2) Regulations 1969⁽⁵⁾, defines the expression “the principal regulations”) there shall be substituted the following provision :—

“(1) In these regulations the expression “the principal regulations” means the Police Pensions Regulations 1966 as amended by the Police Pensions (Amendment) (No. 2) Regulations 1967⁽⁶⁾, the Police Pensions (Amendment) Regulations 1968⁽⁷⁾, the Police Pensions (Amendment) Regulations 1969⁽⁸⁾, the Police Pensions (Amendment) (No. 2) Regulations 1969⁽⁹⁾ and the Police Pensions (Amendment) (No. 3) Regulations 1969.”

St. Andrew's House, Edinburgh
26th December 1969

William Ross
One of Her Majesty's Principal Secretaries of
State

(3) (1966 III, p.4894).
(4) (1969 III, p. 5788).
(5) (1969 III, p.4960).
(6) S.I. 1967/1500 (1967 III, p. 4204).
(7) S.I. 1968/530 (1968 I, p. 1269).
(8) S.I. 1969/723 (1969 II, p. 1952).
(9) S.I. 1969/1484 (1969 III, p.4745).

EXPLANATORY NOTE

These Regulations amend the Special Constables (Pensions) (Scotland) Regulations 1966 which give to special constables and their dependants certain pension benefits for which members of police forces and their dependants are eligible. The Police Pensions (Amendment) (No. 3) Regulations 1969 provide that a widow of a member of a police force shall qualify for an augmented award where her husband's death results from an injury received while saving, or preventing loss of, human life. These Regulations make similar provisions as respects the widow of a special constable.