

1971 No. 584

POLICE

**The Special Constables (Pensions) (Amendment) Regulations
1971**

<i>Made</i>	- - -	<i>1st April 1971</i>
<i>Laid before Parliament</i>		<i>2nd April 1971</i>
<i>Coming into Operation</i>		<i>5th April 1971</i>

In exercise of the powers conferred on me by section 34 of the Police Act 1964(a) (read with section 1(2) of the Police Pensions Act 1961(b)), I hereby make the following Regulations:—

1. These Regulations may be cited as the Special Constables (Pensions) (Amendment) Regulations 1971 and shall come into operation on 5th April 1971.

2. In these Regulations any reference to the Instrument of 1971 is a reference to the Special Constables (Pensions) Regulations 1971(c).

3.—(1) In the application of the Police Pensions Regulations 1971(d) to the calculation of the pension of a widow of a special constable under the Instrument of 1971, those Regulations shall apply as amended by the Police Pensions (Amendment) Regulations 1971(e) (which amendments relate to increases in widows' awards).

(2) In accordance with paragraph (1) of this Regulation, for Regulation 3(1) of the Instrument of 1971 (which defines the expression "the principal Regulations") there shall be substituted the following paragraph:—

"(1) In these Regulations the expression "the principal Regulations" means the Police Pensions Regulations 1971, as amended by the Police Pensions (Amendment) Regulations 1971."

R. Maudling,
One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.
1st April 1971.

(a) 1964 c. 48.

(c) S.I. 1971/233 (1971 I, p. 792).

(e) S.I. 1971/583.

(b) 1961 c. 35.

(d) S.I. 1971/232 (1971 I, p. 690).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Special Constables (Pensions) Regulations 1971 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 Regulations 1971 provide for a discretionary increase in a police widow's pension where the widow would have been entitled to widow's benefit or a retirement pension under the National Insurance Acts had her husband satisfied the contribution conditions therefor or where he died before 5th July 1948 (when the National Insurance Act 1946 (c.67) came into operation). There are restrictions on the payment of a discretionary increase ; it is payable only during specified periods and in specified conditions. In certain cases an increase is only payable where the widow had been married for 3 years and had attained the age of 40 or 50 years at a specified date. The Police Pensions (Amendment) Regulations 1971 relax these restrictions. First, they remove any requirement that the marriage should have subsisted for 3 years. Secondly, where the restrictions specify the age of 50 years, this is reduced to 40 years ; but a discretionary increase payable to a widow who benefits from this relaxation is abated by reference to her age at the specified date.

These Regulations make, in relation to a discretionary increase in a pension payable to a special constable's widow, similar provision relaxing the restrictions on the payment of the increase.