

1979 No. 1287

POLICE

The Police Pensions (Amendment) (No. 2) Regulations 1979

Made - - - - 15th October 1979

Laid before Parliament 22nd October 1979

Coming into Operation 12th November 1979

In exercise of the powers conferred on me by sections 1, 3 and 5 of the Police Pensions Act 1976(a), and after consultation with the Police Council for the United Kingdom, I hereby, with the consent of the Minister for the Civil Service, make the following Regulations:—

1. These Regulations may be cited as the Police Pensions (Amendment) (No. 2) Regulations 1979.

2. These Regulations shall come into operation on 12th November 1979.

3. In these Regulations references to the principal Regulations are references to the Police Pensions Regulations 1973(b), and references to the old cases Regulations are references to the Police Pensions Regulations 1971(c) in so far as they continue to have effect(d).

4.—(1) This Regulation shall have effect for the purposes of the amendment of the following Regulations (awards on death of servicemen), namely:—

Regulation 93 of the principal Regulations;

Regulation 90 of the old cases Regulations.

(2) For paragraph (5) of each of the said Regulations there shall be substituted the following provision:—

“(5) The weekly amount of any pension payable under paragraph (4)(a) shall be £8·45.”.

5. In Regulation 107 of the principal Regulations after the words “section 2 of that Act” there shall be inserted the words “or section 59 of the Social Security Pensions Act 1975”.

(a) 1976 c. 35.

(b) S.I. 1973/428. the relevant amending instruments are S.I. 1975/1718; 1976/1707; 1977/1705; 1978/1578.

(c) S.I. 1971/232. the relevant amending instruments are S.I. 1974/1533; 1975/1718; 1976/1707; 1977/1705; 1978/1578.

(d) See S.I. 1973/428.

6. In Regulation 108A of the principal Regulations after paragraph (7) there shall be inserted the following provision:—

“(7A) In the case of a widow who is entitled to a minimum pension under paragraph (4)(b) the amount of a widow’s pension for any week calculated in accordance with the following provisions of these Regulations, namely—

Regulation 93(5);

paragraph 3 of Part I of Schedule 3;

paragraph 4(1) of Part IV of Schedule 3;

shall, unless the police authority otherwise directs, be reduced by an amount equal to 16 per cent. of the said minimum pension.”.

7.—(1) This Regulation shall have effect for the purposes of the amendment of the following provisions (widow’s ordinary pension), namely:—

Part I of Schedule 3 to the principal Regulations;

Part I of Schedule 3 to the old cases Regulations.

(2) For paragraph 3 of each of the said provisions there shall be substituted the following provisions:—

“3.—(1) Where in respect of any period a widow so elects, then, subject to sub-paragraphs (2) and (3), the weekly amount of her ordinary pension in respect of that period shall be, if her husband at the time when he ceased to be a regular policeman—

(a) held a rank higher than that of inspector, £13·21;

(b) held the rank of inspector, £11·00;

(c) held a rank lower than that of inspector, £8·45.

(2) Where the husband held the rank of chief inspector in the City of London police force, the preceding sub-paragraph shall apply as though he had held a rank higher than that of inspector.

(3) Where the husband was entitled to reckon at least 10 years’ pensionable service the weekly amount of a widow’s ordinary pension calculated in accordance with this paragraph shall be increased by 65p.”.

8. For paragraph 1 of Scheme 1 of Part II of Schedule 3 to the old cases Regulations (widow’s ordinary pension—preserved rate) there shall be substituted the following provision:—

“1. Subject to paragraphs 2 and 3 of this Scheme, the weekly amount of a widow’s ordinary pension shall be, if her husband at the time when he ceased to be a regular policeman—

(a) held a rank higher than that of inspector, £13·21;

(b) held the rank of inspector, £11·00;

(c) held a rank lower than that of inspector, £8·45.”.

9. For paragraph 4(1) of Part IV of Schedule 3 to the principal Regulations (widow’s accrued pension) there shall be substituted the following provision:—

“4.—(1) Where in respect of any period a widow so elects, then, subject to sub-paragraph (2), the weekly amount of her accrued pension in respect

of that period shall be, if her husband at the time when he ceased to be a regular policeman—

- (a) held a rank higher than that of inspector, £13·21;
- (b) held the rank of inspector, £11·00;
- (c) held a rank lower than that of inspector, £8·45.”.

10.—(1) This Regulation shall have effect for the purposes of the amendment of the following provisions (child's ordinary allowance), namely:—

- Part I of Schedule 4 to the principal Regulations;
- Part I of Schedule 4 to the old cases Regulations.

(2) For the Table in paragraph 1 of each of the said provisions there shall be substituted the following Table:—

“TABLE

Parent's Rank	Weekly Amount
Higher than Inspector	£3·49
Inspector	£2·83
Lower than Inspector	£2·40”

(3) For the Table in paragraph 2 of each of the said provisions there shall be substituted the following Table:—

“TABLE

Parent's Rank	Weekly amount
Higher than Inspector	£5·19
Inspector	£4·19
Lower than Inspector	£3·53”

11. For the Table in paragraph 1(1)(a) of Part III of Schedule 4 to the old cases Regulations (discretionary increase in child's allowance) there shall be substituted the following Table:—

“TABLE

Parent's Rank	Increased Amount
Higher than Inspector	£6·92
Inspector	£5·56
Lower than Inspector	£4·65”

15th October 1979.

W. S. I. Whitelaw,
One of Her Majesty's Principal
Secretaries of State.

Consent of the Minister for the Civil Service given under her Official Seal on 15th October 1979.

(L.S.)

T. A. A. Hart,
Authorised by the Minister for
the Civil Service.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Police Pensions Regulations 1973 and, in so far as they continue to have effect, the Police Pensions Regulations 1971.

Under the Regulations of 1973 and of 1971 the amounts of certain widows' pensions and children's allowances are determined by reference to flat rates which do not qualify for increases under the Pensions (Increase) Act 1971 (c. 56) as amended by the Social Security Pensions Act 1975 (c. 60) and the Social Security Act 1979 (c. 18). These Regulations increase these flat rates with effect from 12th November 1979 (the date from which increases authorised by the Pensions Increase (Review) Order 1979 (S.I. 1979/1047) are payable). In cases where a widow is entitled to a minimum pension corresponding to a guaranteed minimum pension under the Social Security Pensions Act 1975 a reduction is made by Regulation 6 for so much of the increase as is attributable to that minimum pension (an equivalent sum is payable by the Department of Health and Social Security).

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