
STATUTORY INSTRUMENTS

1987 No. 257

The Police Pensions Regulations 1987

Part C

Widows' Awards

Widow's requisite benefit and temporary pension

C6.—(1) This Regulation shall apply to a widow of a regular policeman not mentioned in Regulation C1(1), C2(1) or C4(1) where, after the beginning of the tax year in which he attained or would have attained state pensionable age, the husband either—

- (a) has died while serving as a regular policeman, or
- (b) has ceased to serve as such.

(2) A widow to whom this Regulation applies shall be entitled to an award which, subject to paragraph (3), shall comprise—

- (a) if the husband died while serving as a regular policeman or in receipt of a pension, a temporary pension in respect of the first 13 weeks following his death of such amount in respect of each such week as, when aggregated with that of any children's allowances payable in respect of the husband's death, is of the like weekly amount as was his pensionable pay or, as the case may be, as was his pension, together with any increase therein, immediately before he died, under the Pensions (Increase) Acts;
- (b) where such a temporary pension is not payable, or after the 13 weeks for which it is payable, a widow's requisite benefit pension calculated in accordance with Part V of Schedule C;

and, for the purposes of sub-paragraph (a), where the husband died while in receipt of both an ordinary, short service or ill-health pension and an injury pension, the reference therein to the weekly amount of his pension shall be construed as a reference to the aggregate weekly amount of those pensions.

(3) If the capitalised value of the pension payable under paragraph (2)(b) to a widow whose husband died while serving as a regular policeman, as calculated by the Government Actuary, is less than the husband's average pensionable pay, the widow shall also be entitled to a gratuity equal to the amount by which that capitalised value falls short of the husband's average pensionable pay.

(4) For the purposes of paragraph (2)(a)—

- (a) the provisions of Regulation A8 shall be disregarded, and, accordingly, a person shall not by virtue thereof be treated as in receipt of an injury pension, but
- (b) he shall be treated as in receipt of an injury pension if he would have been in receipt of such a pension but for his entitlement to additional benefit within the meaning of paragraph 4 of Part V of Schedule B and, where he is, or is so treated as being, in receipt of such a pension, the provisions of the said paragraph 4 shall be disregarded in determining the weekly amount of that pension.