
STATUTORY INSTRUMENTS

1987 No. 257

The Police Pensions Regulations 1987

Part E

Awards on Death—Additional Provisions

Supplementary provisions relating to awards on death

Increase of widow's pension or child's allowance during first 13 weeks

E8.—(1) This Regulation shall apply to a widow's ordinary, special or accrued pension or a pension under Regulation C5(3) (*pension in case of post-retirement marriage*) and to a child's ordinary, special or accrued allowance where the person in respect of whose death the award is payable was, immediately before his death—

- (a) serving as a member of a police force and, in the case of an auxiliary policeman, called up for service as such, or
- (b) in receipt of a pension,

and, for the purposes of sub-paragraph (b), the provisions of Regulation A8 relating to persons treated as being in receipt of an ordinary pension shall be disregarded.

(2) A widow's pension to which this Regulation applies shall, so far as necessary, be increased in respect of the first 13 weeks for which it is payable so as to secure that, in respect of each such week, the aggregate amount of the pension and of any children's allowances payable in respect of the same person's death is not less than—

- (a) in the case mentioned in paragraph (1)(a), the policeman's pensionable pay for a week immediately before he died, or
- (b) in the case mentioned in paragraph (1)(b), the weekly amount of his pension together with any increase therein, immediately before he died, under the Pensions (Increase) Acts;

and, for the purposes of sub-paragraph (b)—

- (i) there shall be disregarded any reduction in the policeman's pension in consequence of Part VIII of Schedule B (*reduction of pension related to uprating of widow's pension*) or his entitlement to any additional benefit within the meaning of paragraph 4 of Part V of that Schedule (*policeman's injury award*), and
- (ii) where the policeman died while in receipt of both an ordinary, short service or ill-health pension and of 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) Where a child's allowance to which this Regulation applies is payable in respect of the death of a person who—

- (a) in the case of a man, did not leave a widow entitled to a pension which was payable for a continuous period of 13 weeks, or
- (b) in the case of a woman, was the child's only surviving parent,

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the allowance shall, so far as necessary, be increased in respect of the first 13 weeks for which it is payable so as to secure that, in respect of each such week, it is not less than the amount specified in paragraph (2)(a) or (b) except that, where 2 or more such allowances are payable in respect of the death of the same person, each allowance shall be so increased that it is of that amount divided by the number of such allowances:

Provided that where a widow's pension is payable in respect of any such week, a child's allowance in respect of the death of the same person shall not be so increased in respect of that week.

(4) Paragraph (1) has effect subject to paragraph 10 of Part II of Schedule J.