
STATUTORY INSTRUMENTS

1987 No. 257

The Police Pensions Regulations 1987

Part L

Payments by and to Police Authorities

Payment and duration of awards

L3.—(1) Subject to the provisions of these Regulations, in particular, of—

- (a) Regulation B1(5) (*limitation on payment of an ordinary pension to a person entitled to reckon less than 30 years' pensionable service*);
- (b) Regulation B4(2) (*limitation on payment of an injury pension to a person who ceased to serve before becoming disabled*);
- (c) Regulation B5(4) (*limitation on payment of a deferred pension*);
- (d) Regulation J1 (*policeman with a guaranteed minimum for the purposes of the Social Security Pensions Act 1975*);
- (e) Part K (*revision and withdrawal or forfeiture of awards*), and
- (f) paragraph 9(3)(a) of Part I of Schedule J (*pension by way of equivalent pension benefit*),

the pension of a member of a police force shall be payable in respect of each year as from the date of his retirement.

(2) Subject to the provisions of these Regulations, in particular, of—

- (a) Regulation D5(3) to (6) (*limitations on child's allowance*), and
- (b) Regulation J1 (*policeman with a guaranteed minimum for the purposes of the Social Security Pensions Act 1975*)

a widow's pension or child's allowance shall be payable in respect of each week as from the death of the husband or, as the case may be, the parent or, in the case of an allowance payable to a posthumous child, as from the birth of the child, except—

- (i) where the husband or parent was in receipt of a pension and dies during a period in respect of which he has already received his pension, in which case the pension or allowance shall not be payable before the end of that period;
 - (ii) where the husband or parent has received a gratuity other than an injury gratuity under Regulation B4, in which case the pension or allowance shall be payable as from such time as the police authority may, in their discretion, determine to be reasonable, not being more than a year after his death, having regard to all the circumstances, including the amount of the gratuity.
- (3) Subject to the provisions of these Regulations, in particular, of—
- (a) Regulation C7(2)(a) (*widow's temporary pension*);
 - (b) Regulation C9 (*termination of widow's award on remarriage etc.*);
 - (c) Regulation D5(3) to (6) (*limitations on child's allowance*);
 - (d) Regulation E1(3) (*adult dependent relative's special pension*);

(e) Regulation J1(2), (3)(b) and (4) (*policeman with a guaranteed minimum for the purposes of the Social Security Pensions Act 1975*), and

(f) Part K (*revision and withdrawal or forfeiture of awards*),

a pension or allowance shall be payable for life and shall be discharged by payments in advance at such reasonable intervals as the police authority may, in their discretion, determine except that payment on account of a pension or allowance may be delayed, in whole or in part, pending the determination of any question as to the liability of the police authority in respect thereof, including any question as to the continuance of that liability.

(4) Where a person dies after receiving a sum paid in advance on account of a pension or allowance, neither the said sum nor any part thereof shall be recoverable although referable to a period after his death.

(5) Where a widow remarries after receiving a sum paid in advance on account of a pension, neither the said sum nor any part thereof shall be recoverable although referable to a period after her remarriage.

(6) Subject to the provisions of these Regulations, a gratuity, lump sum or award by way of repayment of aggregate pension contributions shall become payable as soon as the entitlement thereto arises and shall be paid forthwith in one sum except that—

(a) payment on account thereof may be delayed, in whole or in part, pending the determination of any question as to the liability of the police authority in respect thereof, and

(b) where the police authority are satisfied that it would be for the advantage of the beneficiary to pay a gratuity in instalments, they may pay it in instalments of such reasonable amounts and over such reasonable period as they think fit.