STATUTORY INSTRUMENTS

1969 No. 1484

POLICE

The Police Pensions (Amendment) (No. 2) Regulations 1969

Made - - -	*17th October* 1969
Laid before Parliament	*28th October* 1969
Coming into Operation	*3rd November* 1969

In exercise of the powers conferred on me by sections 1 and 3 of the Police Pensions Act 1948(a) (read with Article 2(1) of the Minister for the Civil Service Order 1968(b)), as extended and amended by section 43 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(c), section 5(3) of the Overseas Service Act 1958(d) and Schedule 2 thereto, section 1(1) of the Police Pensions Act 1961(e), sections 40, 43(4), 45(4) and 63 of the Police Act 1964(f) and Schedules 6 and 9 thereto, sections 35 and 38(4) of the Police (Scotland) Act 1967(g) and section 10(2) of the National Insurance Act 1969(h), and after consultation with the Police Council for Great Britain, I hereby, in consequence of the said Act of 1969 and 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 1969 and shall come into operation on 3rd November 1969.

2. In these Regulations any reference to the principal Regulations is a reference to the Police Pensions Regulations 1966(i), as amended (j), and references to the No. 2 Regulations of 1967, the Regulations of 1968 and the Regulations of 1969 are references, respectively, to the Police Pensions (Amendment) (No. 2) Regulations 1967(k), the Police Pensions (Amendment) Regulations 1968(l) and the Police Pensions (Amendment) Regulations 1969(m).

3. For Regulation 12(3) of the principal Regulations (which, as set out in Regulation 1 of the No. 2 Regulations of 1967, provides, in certain cases, for the increase of a widow's ordinary pension, in certain circumstances by 127s. 0d. a week, or in certain other circumstances by 90s. 0d. a week) there shall be substituted the following provision :—

"(3) Subject to paragraph (4), a pension increased under this Regulation shall be payable at a rate increased by 140s. 0d. a week for the first 26 weeks that the pension is payable and thereafter during the periods and in the conditions set out in Part VI of Schedule 2 at a rate increased by 100s. 0d. a week :

(a) 1948 c. 24.
(b) S.I. 1968/1656 (1968 III, p. 4485).
(c) 1951 c. 65.
(d) 1958 c. 14.
(e) 1961 c. 35.
(f) 1964 c. 48.
(g) 1967 c. 77.
(h) 1969 c. 44.
(i) S.I. 1966/1582 (1966 III, p. 4894).
(j) The relevant amending instruments are S.I. 1967/1500, 1968/530, 1969/723 (1967 III, p. 4204; 1968 I, p. 1269; 1969 II, p. 1952).
(k) S.I. 1967/1500 (1967 III, p. 4204).
(l) S.I. 1968/530 (1968 I, p. 1269).
(m) S.I. 1969/723 (1969 II, p. 1952).

Provided that where a pension calculated in accordance with Scheme II of Part II of Schedule 2 is increased under this Regulation, the increased pension shall not be at a higher rate than it would have been if it had been calculated in accordance with Scheme I of the said Part II and increased in accordance with the provisions of this Regulation.".

4. For Regulation 15(3) of the principal Regulations (which, as set out in Regulation 2 of the No. 2 Regulations of 1967, provides, in certain cases, for the increase of a widow's special pension up to an amount determined by reference to her husband's pay, together with, in certain circumstances, 127s. 0d. a week or, in certain other circumstances, 90s. 0d. a week) there shall be substituted the following provision :—

"(3) Subject to paragraph (4), the weekly amount up to which the pension may be increased shall be a sixth of her husband's average pensionable pay for a week, increased in accordance with Part XI of these Regulations, together with, for the first 26 weeks that the pension is payable, 140s. 0d. a week and thereafter, during the periods and in the conditions set out in Part VI of Schedule 2, 100s. 0d. a week.".

5. For Regulation 17(3) of the principal Regulations (which, as set out in Regulation 3 of the No. 2 Regulations of 1967, provides, in certain cases and circumstances, for the increase of a widow's pension, where the husband died before 5th July 1948, by 90s. 0d. a week) there shall be substituted the following provision :—

"(3) A pension increased under this Regulation shall be payable during the periods and in the conditions set out in Part VI of Schedule 2 at a rate increased by 100s. 0d. a week :

Provided that where a pension calculated in accordance with Regulation 16(3)(*b*), otherwise than by reference to the non-accidental rate specified in paragraph 7 of Part II of Schedule 1 to the Police Pensions Act 1921(**a**), is increased under this Regulation, the increased pension shall not be at a higher rate than it would have been if it had been calculated in accordance with Regulation 16(3)(*a*) and increased in accordance with the provisions of this Regulation.".

6. For paragraph 1(4) of Part III of Schedule 3 to the principal Regulations (which, as set out in Regulation 7 of the Regulations of 1968, provides, in certain cases, for the increase of a child's allowance up to 45s. 6d. a week) there shall be substituted the following provision :—

"(4) Where both parents of the child are dead and the parent in respect of whose death an ordinary or special allowance is payable was the child's father and he had attained the age of 65 years on 5th July 1948, then in respect of any week during which—

(*a*) no person is receiving a guardian's allowance under the National Insurance Act 1965(**b**) in respect of the child ;

(*b*) the child is included in a family within the meaning of the Family Allowances Act 1965(**c**) or of the Family Allowances Act 1945(**d**), either as originally enacted or as amended by any subsequent enactment ;

(*c*) where the allowance is a special allowance, no allowance is payable under section 21 of the National Insurance (Industrial Injuries) Act 1965(**e**) in respect of the child ;

(**a**) 1921 c. 31.
(**b**) 1965 c. 51.
(**c**) 1965 c. 53.
(**d**) 1945 c. 41.
(**e**) 1965 c. 52.

(*d*) no armed forces pension or award is payable to or for the child in pursuance of any Royal Warrant or other instrument : and

(*e*) no grant is payable to or in respect of the child under any scheme made under the Personal Injuries (Emergency Provisions) Act 1939(**a**),

the amount of the allowance may, without prejudice to the provisions of the preceding sub-paragraphs but subject to Part IV of this Schedule, be increased under sub-paragraph (1) to an amount not exceeding 49s. 0d.".

7. For paragraph 2(2) of Part III of Schedule 3 to the principal Regulations (which, as set out in Regulation 14 of the Regulations of 1969, specifies the amounts up to which children's allowances, in certain cases, may be increased) there shall be substituted the following provision :—

"(2) The appropriate amount referred to in the preceding sub-paragraph shall be—

(*a*) irrespective of the date of the father's death, 49s. 0d. in the case of the only or eldest child included in a family within the meaning of the Family Allowances Act 1965 or of the Family Allowances Act 1945, either as originally enacted or as amended by any subsequent enactment ;

(*b*) where the father died on or after 9th April 1968—

(i) 36s. 0d., in the case of the second child so included, and

(ii) 34s. 0d., in the case of each subsequent child so included ;

(*c*) where the father died before 9th April 1968—

(i) 39s. 6d., in the case of the second child so included ;

(ii) 37s. 6d., in the case of the third child so included, and

(iii) 35s. 0d., in the case of each subsequent child so included.".

James Callaghan,
One of Her Majesty's Principal Secretaries of State.

16th October 1969.

Consent of the Minister for the Civil Service given under his Official Seal on 17th October 1969.

(L.S.)

K. H. McNeill,
Authorised by the Minister for the Civil Service.

(**a**) 1939 c. 82.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which come into operation on 3rd November 1969, amend the Police Pensions Regulations 1966 and relate to widows' pensions and children's allowances.

Regulations 3, 4 and 5 increase the amount by which widows' pensions may be increased in those cases in which discretionary increases are permitted and Regulations 6 and 7 make similar provision in relation to children's allowances.