1988 No. 1936

POLICE

The Police Pensions (Lump Sum Payments to Widows) Regulations 1988

Made - - - -	*3rd November 1988*
Laid before Parliament	*14th November 1988*
Coming into force	*5th December 1988*

In exercise of the powers conferred upon me by sections 1, 3 and 5 of the Police Pensions Act 1976(**a**), and after consultation with the Police Negotiating Board for the United Kingdom, I hereby, with the consent of the Treasury(**b**), make the following Regulations, which provide for payments corresponding to payments under section 66 of and Schedule 6 to the Social Security Act 1986(**c**):

1. These Regulations may be cited as the Police Pensions (Lump Sum Payments to Widows) Regulations 1988 and shall come into force on 5th December 1988.

2. In these Regulations–

any reference to the old cases Regulations is a reference to the Police Pensions Regulations 1971(**d**), in so far as they continue to have effect(**e**);

"the relevant week", in relation to any year, means the week beginning with the first Monday in December or such other week as may be specified in an order made by the Secretary of State under paragraph 1(3) of Schedule 6 to the Social Security Act 1986 for the purposes of that Schedule.

3. These Regulations shall be construed as one with the old cases Regulations which shall have effect as if regulation 4 of these Regulations were included therein.

4.—(1) This regulation shall apply to a widow who is in receipt of a pension increased under any of the following provisions of the old cases Regulations, namely under–

(a) regulation 30 (discretionary increase in widow's ordinary pension);

(b) regulation 33 (discretionary increase in widow's special pension); or

(c) regulation 35 (discretionary increase in widow's award under former Acts),

where the increase is payable in respect of a period which includes a day in the relevant week.

(2) Except where a widow to whom this regulation applies is entitled to a payment by virtue of section 66 of and Schedule 6 to the Social Security Act 1986, the police authority shall pay her a gratuity of £10 (or such larger sum as may be specified in an order made by the Secretary of State under paragraph 2(3)(b) of Schedule 6 to the Social Security Act 1986 for the purposes of that Schedule) in respect of the year in which the relevant week falls.

(**a**) 1976 c. 35, as amended by section 2(3) of the Police Negotiating Board Act 1980 (c. 10).
(**b**) Formerly the Minister for the Civil Service: *see* S.I. 1981/1670.
(**c**) 1986 c. 50.
(**d**) S.I. 1971/232; the relevant amending instrument is S.I. 1971/1466.
(**e**) *See* S.I. 1987/256.

(3) For the purposes of regulation 49 of the old cases Regulations (prevention of duplication), a gratuity under this regulation shall be ignored.

Home Office
21st October 1988

Douglas Hurd
One of Her Majesty's Principal Secretaries of State

We consent,

Tony Durant
David MacLean
3rd November 1988 Two of the Lords Commissioners of Her Majesty's Treasury

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EXPLANATORY NOTE

(This note is not part of the Regulations)

The Police Pensions Regulations 1971 (which apply in relation to policemen who ceased to serve before 1st April 1972) provide for discretionary increases in police widows' pensions where the widow would have been entitled to widow's benefit or a retirement pension under the Social Security Acts had her husband satisfied the contribution conditions therefor or where he died before 5th July 1948 (when the National Insurance Act 1946 (c. 67) came into operation).

These Regulations provide for the payment of a gratuity of £10 in the case of a policeman's widow in receipt of such a discretionary increase in her police widow's pension equivalent to the Christmas bonus for pensioners payable under Schedule 6 to the Social Security Act 1986 if she is not entitled to a payment by virtue of that Schedule.

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