EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations reproduce with minor amendments the existing provisions as to promotion examinations contained in the Police (Consolidation) Regulations, 1948.

1952 No. 2162

The Police Pensions Regulations, 1952

Made - - - - 10*th December*, 1952
Coming into Operation 15*th December*, 1952

In exercise of the powers conferred on me by sections one and three of the Police Pensions Act, 1948(**a**), and section two of the Pensions (Increase) Act, 1952(**b**), I hereby, with the consent of the Treasury and after consultation with the Police Council, make the following Regulations:—

PART I

AMENDMENTS OF THE POLICE PENSIONS REGULATIONS, 1949(**c**)

1. In paragraph (3) of Regulation 10 of the Police Pensions Regulations, 1949, for the word "January" there shall be substituted the word "October".

2. For paragraphs (4), (5) and (6) of Regulation 11 of the said Regulations there shall be substituted the following paragraph:—

"(4) A pension increased or granted under this Regulation, including such a pension increased or granted before the first day of October, 1952, shall be payable at a rate increased by, or at the rate of, forty-two shillings and sixpence a week for the first thirteen weeks that the pension is payable and thereafter during the periods and in the conditions set out in Part II of the Second Schedule to these Regulations thirty-two shillings and sixpence a week:

Provided that where a pension calculated in accordance with Scheme II of Part I of the Second Schedule to these Regulations is increased, 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 I and increased in accordance with the provisions of this Regulation.".

3. In paragraph (2) of Regulation 12 of the said Regulations, for the word "January" there shall be substituted the word "October".

4.—(1) In paragraph (1) of Regulation 13 of the said Regulations after the words "in their discretion" there shall be inserted the words "from time to time".

(2) In paragraph (3) of the said Regulation after the words "Regulation 66" there shall be inserted the words "and paragraph (1) of Regulation 66A", for the words "thirty-six shillings" there shall be substituted the words "forty-two shillings and sixpence" and for the words "twenty-six shillings" there shall be substituted the words "thirty-two shillings and sixpence".

(3) Paragraph (4) of the said Regulation shall be omitted.

(**a**) 11 & 12 Geo. 6. c. 24. (**b**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 45.
(**c**) S.I. 1949/1241; 1949 I, p. 3331: and *see* S.I. 1950/778; 1951/2192: 1950 II, p. 338 1951 II, p. 208.

5.—(1) In paragraph (1) of Regulation 20 of the said Regulations the words " determined in accordance with Part I of the Third Schedule to these Regulations " shall be omitted.

(2) At the end of the said Regulation there shall be added the following paragraph:—

" (3) A child's ordinary allowance, including such an allowance granted before the first day of October, 1952, shall be determined in accordance with Part I of the Third Schedule to these Regulations.".

6.—(1) In Regulation 21 of the said Regulations the words " determined in accordance with Part II of the Third Schedule to these Regulations " shall be omitted.

(2) At the end of the said Regulation there shall be added the following paragraph:—

" (2) A child's special allowance, including such an allowance granted before the first day of October, 1952, shall be determined in accordance with Part II of the Third Schedule to these Regulations.".

7. For the proviso to paragraph (1) of Regulation 50 of the said Regulations there shall be substituted the following proviso:—

" Provided that where a regular policeman was serving in any force immediately before the fifth day of July, 1948, the time at which he shall cease to be a member of the force shall, unless at any time he elects or has elected by notice in writing to the police authority of the force in which he is or was serving that this proviso or the proviso to paragraph (1) of Regulation 54 of the Police Pensions Regulations, 1948(a), shall not apply to him, be the time at which he would have been required to retire on the ground of age if the Police Pensions Regulations, 1948, and these Regulations had not come into force.".

8.—(1) At the end of Regulation 66 of the said Regulations there shall be added the following proviso:—

" Provided that the police authority may, in their discretion, dispense with any or all periodical applications for the continuation and reassessment of an increase in the amount of a pension of a widow over the age of sixty years, or of a child's allowance.".

(2) At the end of the said Regulation as so amended there shall be added the following paragraph:—

" (2) In calculating, for the purposes of this Regulation, the means of the person concerned, any increase in accordance with the provisions of paragraph (1) or (2) of Regulation 66A shall be disregarded.".

9. After Regulation 66 of the said Regulations there shall be inserted the following Regulation:—

" Increases in widows' pensions and children's allowances.

66A.—(1) Where it is provided in these Regulations that an amount shall be increased in accordance with this paragraph, it shall be increased by the amount by which a pension of the amount first mentioned would be increased if—

(i) the person concerned were in receipt of such a pension,

(ii) that pension were specified in Part II of the First Schedule to the Pensions (Increase) Act, 1952, and

(a) S.I. 1948/1531; 1948 I, p. 3429.

(iii) any increase in the first mentioned amount in accordance with the provisions of Regulation 66 were an increase granted under the Pensions (Increase) Acts, 1944 and 1947(a).

(2) Where it is provided in these Regulations that an amount shall be increased in accordance with this paragraph, it shall be increased on the like conditions as if it were increased in accordance with paragraph (1), save for the conditions contained in paragraphs 1 and 2 of the Second Schedule to the Pensions (Increase) Act, 1952.

(3) For the purposes of this Regulation any reference in the Second Schedule to the Pensions (Increase) Act, 1952, to—

(*a*) a relevant pension shall be construed as including a reference to an award of an amount which these Regulations provide shall be increased in accordance with any of the provisions of this Regulation ;

(*b*) the rate of the relevant pension shall be construed as including a reference to the rate of such an award ignoring any increase in accordance with any of the provisions of this Regulation ;

(*c*) the authorised increase shall be construed as including a reference to the increase in accordance with the provisions of paragraph (1) or (2).

(4) Notwithstanding anything in this Regulation, the police authority may in their discretion dispense with any or all periodical applications for the continuation and reassessment of an increase in the amount of a pension of a widow over the age of sixty years, or of a child's allowance.".

10.—(1) In paragraph (4) of Regulation 68 of the said Regulations after the word " dies " there shall be inserted the words " or has died ".

(2) In sub-paragraph (*b*) of the said paragraph, after the words " these Regulations " there shall be inserted the words " from time to time ".

(3) At the end of the said Regulation there shall be added the following paragraph:—

" (6) The police authority may, in their discretion, subject to and in accordance with paragraphs 2 and 3 of the Fifth Schedule to these Regulations, increase any pension or allowance to which the provisions as to increases contained in Regulation 68 of these Regulations, as originally made, apply.".

11.—(1) In paragraph 2 of Scheme II of Part I of the Second Schedule to the said Regulations after the words " Regulation 66 " there shall be inserted the words " and paragraph (1) of Regulation 66A ".

(2) In paragraph 4 of the said Scheme II for the words " seven shillings and sixpence " there shall be substituted the words " eight shillings ".

12.—(1) In paragraph 1 of Part III of the said Schedule, after the words " Regulation 66 ", in each place where they occur, there shall be inserted the words " and paragraph (1) of Regulation 66A ".

(2) In paragraph 3 of the said Part III for the words " seven shillings and sixpence " there shall be substituted the words " eight shillings ".

(a) 7 & 8 Geo. 6. c. 21 and 10 & 11 Geo. 6. c. 7.

13. For paragraphs 1, 2 and 3 of Part I of the Third Schedule to the said Regulations, there shall be substituted the following paragraphs:—

"1. Subject as hereafter in this Schedule provided, a child's ordinary allowance shall be the weekly amount in the second column of the subjoined Table set opposite to the rank in the first column of the said Table, which the parent in respect of whose death the allowance is payable held at the time when he ceased to be a regular policeman:

Provided that the said amount shall be increased in accordance with the provisions of paragraph (2) of Regulation 66A by the amount so set out in the third column of the said Table:—

TABLE

Parent's Rank	Weekly Amount	Increase
	s. d.	s. d.
Higher than Inspector	8 6	2 3
Inspector	7 6	1 3
Lower than Inspector...	6 6	9

2. Where the parent in respect of whose death the allowance is payable was the child's only surviving parent or in respect of the period after the death of the child's other parent, the child's ordinary allowance shall be the weekly amount in the second column of the subjoined Table set opposite the rank in the first column of the said Table, which the parent in respect of whose death the allowance is payable held at the time when he ceased to be a regular policeman:

Provided that the said amount shall be increased in accordance with the provisions of paragraph (2) of Regulation 66A by the amount so set out in the third column of the said Table:—

TABLE

Parent's Rank	Weekly Amount	Increase
	s. d.	s. d.
Higher than Inspector	12 9	3 6
Inspector	11 3	2 0
Lower than Inspector...	9 9	1 2 "

14. In paragraphs 1 and 2 of Part II of the said Schedule after the words "Regulation 66" in both places where they occur there shall be inserted the words "and paragraph (1) of Regulation 66A".

15.—(1) In sub-paragraph (*a*) of paragraph 1 of Part III of the said Schedule for the words from "a child's ordinary allowance" to "thirteen shillings a week" there shall be substituted the following words:—

"the weekly amount of a child's ordinary allowance may be increased to an amount not exceeding the amount in the second column of the subjoined Table set opposite to the rank in the first column of the said Table,

which the parent in respect of whose death the allowance is payable held at the time when he ceased to be a regular policeman, and the increased weekly amount may be further increased in accordance with the provisions of paragraph (2) of Regulation 66A by an amount not exceeding the amount so set out in the third column of the said Table:—

TABLE

Parent's Rank	Increased Amount	Further Increase
	s. d.	s. d.
Higher than Inspector	17 0	4 7
Inspector	15 0	2 7
Lower than Inspector...	13 0	1 5 "

(2) In sub-paragraph (*c*) of the said paragraph after the words "Regulation 66" there shall be inserted the words "and paragraph (1) of Regulation 66A".

(3) In paragraph 2 of the said Part III for the words "thirteen shillings and sixpence" there shall be substituted the words "fifteen shillings".

(4) In paragraph 3 of the said Part III after the words "ten shillings" there shall be inserted the words "and sixpence".

16. In paragraph 3 of Part IV of the said Schedule for the words "weekly rate of ten shillings" there shall be substituted the words "higher weekly rate prescribed by that section".

17.—(1) In sub-paragraph (*b*) of paragraph 2 of the Fifth Schedule to the said Regulations, after the words "Regulation 66" there shall be inserted the words "and paragraph (1) of Regulation 66A".

(2) In sub-paragraph (*b*) of paragraph 3 of the said Schedule after the words "Regulation 66" there shall be inserted the words "and paragraph (1) of Regulation 66A".

PART II

AMENDMENTS OF THE POLICE PENSIONS REGULATIONS, 1948(a), IN SO FAR AS THEY CONTINUE TO HAVE EFFECT UNDER REGULATION 88 OF THE POLICE PENSIONS REGULATIONS, 1949

18. In the proviso to paragraph (3) of Regulation 12 of the Police Pensions Regulations, 1948, for the words "thirty-first day of December, 1951" there shall be substituted the words "thirtieth day of September, 1952" and at the end of the said proviso there shall be added the words "and the Police Pensions Regulations, 1952".

19. For paragraphs (4), (5) and (6) of Regulation 13 of the said Regulations there shall be substituted the following paragraph:—

"(4) A pension increased or granted under this Regulation, including such a pension increased or granted before the first day of October, 1952, shall be payable at a rate increased by, or at the rate of, thirty-two shillings

(a) S.I. 1948/1531, 2802; 1949/1241; 1951/2192: 1948 I, pp. 3429, 3475; 1949 I, p. 3331; 1951 II, p. 208.

and sixpence a week during the periods and in the conditions set out in Part II of the Second Schedule to these Regulations:

Provided that where a pension calculated in accordance with Scheme II of Part I of the Second Schedule to these Regulations is increased, 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 I and increased in accordance with the provisions of this Regulation.".

20.—(1) In paragraph (1) of Regulation 14A of the said Regulations, after the words " in their discretion " there shall be inserted the words " from time to time ".

(2) In paragraph (3) of the said Regulation for the words " paragraph (6) " there shall be substituted the words " paragraph (6) and (6A) ", for the words " for the first thirteen weeks that the pension is payable, thirty-six shillings a week and thereafter during the period " there shall be substituted the words " during the periods " and for the words " twenty-six shillings " there shall be substituted the words " thirty-two shillings and sixpence.".

(3) Paragraph (4) of the said Regulation shall be omitted.

21.—(1) In paragraph (2) of Regulation 18 of the said Regulations, for the words " paragraph (6) " there shall be substituted the words " paragraphs (6) and (6A) and, where the pension is calculated otherwise than by reference to annual pay, paragraph (6B) ".

(2) In paragraph (6) of the said Regulation for the words " twenty-six shillings " there shall be substituted the words " thirty-two shillings and sixpence ".

(3) For paragraph (8) of the said Regulation there shall be substituted the following paragraph:—

" (8) Where a widow is in receipt of a pension increased or granted under this Regulation before the first day of October, 1952, then during the periods that the pension so increased or granted is payable, the pension shall be further increased or increased up to the rate of thirty-two shillings and sixpence a week.".

22.—(1) In paragraph (1) of Regulation 22 of the said Regulations the words from " determined in accordance " to the end of the said paragraph shall be omitted.

(2) At the end of the said Regulation there shall be added the following paragraph:—

" (3) A child's ordinary allowance which was granted under this Regulation shall be determined in accordance with Part I of the Third Schedule to these Regulations:

Provided that where the date of the death of the parent in respect of whose death the allowance is payable is the sixth day of April, 1949, or any later date, the allowance in respect of the period after the thirtieth day of September, 1952, shall be increased by such an amount that it is not less than it would have been if calculated in accordance with Part I of the Third Schedule to the Police Pensions Regulations, 1949, as amended by the Police Pensions Regulations, 1952.".

23.—(1) In Regulation 23 of the said Regulations the words " determined in accordance with Part II of the Third Schedule to these Regulations " shall be omitted.

(2) At the end of the said Regulation there shall be added the following paragraph:—

"(2) A child's special allowance which was granted under this Regulation shall be determined in accordance with Part II of the Third Schedule to these Regulations.".

24. In the proviso to paragraph (1) of Regulation 24 of the said Regulations for the words "thirtieth day of June, 1949" there shall be substituted the words "thirtieth day of September, 1952" and at the end of the said proviso there shall be added the words "as amended by the Police Pensions Regulations, 1952.".

25.—(1) In paragraph (2) of Regulation 28 of the said Regulations for the words "paragraph (6)" there shall be substituted the words "paragraphs (6) and (6A)".

(2) In paragraph (7) of the said Regulation for the word "January" there shall be substituted the word "October".

26. In paragraph (2) of Regulation 30 of the said Regulations after the words "and may, in their discretion" there shall be inserted the words "from time to time" and for the words "paragraph (6)", in both places where they occur, there shall be substituted the words "paragraphs (6) and (6A)".

27.—(1) At the end of paragraph (6) of Regulation 69 of the said Regulations there shall be added the following proviso:—

"Provided that the police authority may, in their discretion, dispense with any or all periodical applications for the continuation and reassessment of an increase in the amount of a pension of a widow over the age of sixty years, or of a child's allowance.".

(2) At the end of the said paragraph as so amended there shall be added the following sub-paragraph:—

"(*b*) In calculating, for the purposes of this paragraph, the means of the person concerned, any increase in accordance with the provisions of paragraph (6A) shall be ignored.".

(3) After the said paragraph (6) there shall be inserted the following paragraphs:—

"(6A) (*a*) Where it is provided in these Regulations that an amount shall be increased in accordance with this paragraph, it shall be increased by the amount by which a pension of the amount first mentioned would be increased if—

(i) the person concerned were in receipt of such a pension,

(ii) that pension were specified in Part II of the First Schedule to the Pensions (Increase) Act, 1952(**a**), and

(iii) any increase in the first mentioned amount in accordance with the provisions of paragraph (6) were an increase granted under the Pensions (Increase) Acts, 1944 and 1947(**b**).

(*b*) For the purposes of this paragraph any reference in the Second Schedule to the Pensions (Increase) Act, 1952, to—

(i) a relevant pension shall be construed as including a reference to an award of an amount which these Regulations provide shall be increased in accordance with the provisions of this paragraph;

(**a**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 45.
(**b**) 7 & 8 Geo. 6. c. 21 and 10 & 11 Geo. 6. c. 7.

(ii) the rate of the relevant pension shall be construed as including a reference to the rate of such an award ignoring any increase in accordance with the provision of this paragraph ; and

(iii) the authorised increase shall be construed as including a reference to the increase in accordance with the provisions of this paragraph.

(*c*) Notwithstanding anything in this paragraph, the police authority may, in their discretion, dispense with any or all periodical applications for the continuation and reassessment of an increase in the amount of a pension of a widow over the age of sixty years, or of a child's allowance.

(6B) Where it is provided in these Regulations that an amount shall be increased in accordance with the provisions of paragraph (6A) and of this paragraph, the pension or allowance shall be deemed to begin for the purposes of paragraph (6A) and the Pensions (Increase) Act, 1952, before the first day of April, 1948.".

28.—(1) At the end of Scheme I of Part I of the Second Schedule to the said Regulations there shall be added the following proviso:—

" Provided that the amount of the widow's ordinary pension determined in accordance with the preceding provisions of this Scheme shall be increased by seven shillings and eightpence a week on the like conditions as if it were increased in accordance with the provisions of paragraph (6A) of Regulation 69, save for the conditions contained in paragraphs 1, 2 and 7 of the Second Schedule to the Pensions (Increase) Act, 1952.".

(2) In paragraph 2 of Scheme II of the said Part I for the words " paragraph (6) " there shall be substituted the words " paragraphs (6) and (6A) ".

(3) In paragraph 4 of the said Scheme II for the words " seven shillings and sixpence " there shall be substituted the words " eight shillings ".

29.—(1) In paragraph 1 of Part III of the said Schedule, for the words " paragraph (6) ", in both places where they occur, there shall be substituted the words " paragraphs (6) and (6A) ".

(2) In paragraph 3 of the said Part III for the words " seven shillings and sixpence " there shall be substituted the words " eight shillings ".

30. At the end of Part I of the Third Schedule to the said Regulations there shall be added the following paragraph:—

" 4. The amount of the child's ordinary allowance determined in accordance with the preceding provisions of this Part of this Schedule shall be increased in accordance with the provisions of paragraph (6A) of Regulation 69.".

31. In paragraphs 1 and 2 of Part II of the said Schedule for the words " paragraph (6) ", in both places where they occur, there shall be substituted the words " paragraphs (6) and (6A) ".

32.—(1) At the end of sub-paragraph (*a*) of paragraph 1 of Part III of the said Schedule there shall be added the following proviso:—

" Provided that the amount of the child's ordinary allowance increased in accordance with the provisions of this sub-paragraph may be further increased in accordance with the provisions of paragraph (6A) of Regulation 69.".

(2) In sub-paragraph (*b*) of the said paragraph for the words " paragraph (6) " there shall be substituted the words " paragraphs (6) and (6A) ".

(3) In paragraph 2 of the said Part III for the words " thirteen shillings and sixpence " there shall be substituted the words " fifteen shillings "

(4) In paragraph 3 of the said Part III after the words " ten shillings " there shall be inserted the words " and sixpence ".

33. In paragraph 3 of Part IV of the said Schedule for the words " weekly rate of ten shillings " there shall be substituted the words " higher weekly rate prescribed by that section ".

34.—(1) In paragraph 1 of Part VI of the said Schedule after the words " ten shillings " wherever they occur there shall be inserted the words " and sixpence ".

(2) In paragraph 2 of the said Part VI for the words " thirteen shillings and sixpence " wherever they occur there shall be substituted the words " fifteen shillings ".

PART III

OPERATION, CITATION AND COMMENCEMENT

35. The provisions of these Regulations, other than Regulation 7, paragraph (1) of Regulation 8 and paragraph (1) of Regulation 27, shall have effect as from the first day of October, 1952.

36. These Regulations may be cited as the Police Pensions Regulations, 1952, and shall come into operation on the fifteenth day of December, 1952.

David Maxwell Fyfe,
One of Her Majesty's Principal Secretaries of State.

10th December, 1952.

We consent,

Edward Heath,
Dennis Vosper,
Two of the Lords Commissioners of Her Majesty's Treasury.

10th December, 1952.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Parts I and II of these Regulations amend the Police Pensions Regulations, 1949, and the Police Pensions Regulations, 1948, and provide for certain increases, subject to conditions similar to those applicable to increases under the Pensions (Increase) Act, 1952, and for certain other increases in widows' pensions and children's allowances, including such pensions and allowances already in payment; Regulation 7 extends the exemptions from the general provisions of the 1949 Regulations as to the age of compulsory retirement of members of forces serving immediately before the 1948 Regulations came into force; and Regulations 8 (1) and 27 (1) provide that the police authority may dispense with periodical applications for the continuation or reassessment of increases in accordance with Regulation 66 of the 1949 Regulations, or Regulation 69 (6) of the 1948 Regulations respectively. Regulation 35 in Part III provides that the provisions of these Regulations, other than Regulations 7, 8 (1) and 27 (1), shall have effect as from the 1st October, 1952.