STATUTORY INSTRUMENTS

1961 No. 615 (S. 36)

POLICE

SCOTLAND

The Police Pensions (Scotland) (Amendment) Regulations, 1961

Made - - - - 28*th March*, 1961
Coming into Operation 3*rd April*, 1961

In exercise of the powers conferred on me by sections 1 and 3 of the Police Pensions Act, 1948(a), I hereby, with the consent of the Treasury and after consultation with the Scottish Police Council, make the following regulations, a draft of which has been laid before Parliament and has been approved by resolution of each House of Parliament:—

PART I

AMENDMENTS OF THE POLICE PENSIONS (SCOTLAND) REGULATIONS, 1955.

1. In paragraph (3) of Regulation 8 of the Police Pensions (Scotland) Regulations, 1955(b), as set out in Regulation 1 of the Police Pensions (Scotland) (No. 2) Regulations, 1956(c), and amended by Regulation 1 of the Police Pensions (Scotland) (No. 3) Regulations, 1956(d), Regulation 1 of the Police Pensions (Scotland) Regulations, 1958(e), and Regulation 1 of the Police Pensions (Scotland) Regulations, 1959(f), (which relates to the calculation of a widow's ordinary pension) for the words " the first day of August, 1959 " there shall be substituted the words " the third day of April, 1961 ".

2. In paragraph (3) of Regulation 9 of the said Regulations of 1955, (which relates to the discretionary increase in a widow's ordinary pension) for the words before the proviso, as those words are set out in Regulation 2 of the Police Pensions (Scotland) Regulations, 1958, there shall be substituted the following words:—

" A pension increased under this regulation, including a pension so increased before the third day of April, 1961, shall be payable at a rate increased by eighty shillings a week for the first thirteen weeks that the pension is payable and, subject as aforesaid, shall be payable during the periods and in the conditions set out in Part II of the Second Schedule to these regulations at a rate increased by fifty-seven shillings and sixpence a week: ".

3. In paragraph (2) of Regulation 10 of the said Regulations of 1955, as amended by Regulation 3 of the Police Pensions (Scotland) (No. 2) Regulations, 1956, Regulation 3 of the Police Pensions (Scotland) (No. 3)

(a) 11 & 12 Geo. 6. c. 24.
(b) S.I. 1955/485 (1955 II, p. 1959).
(c) S.I. 1956/1180 (1956 II, p. 1851).
(d) S.I. 1956/2111 (1956 II, p. 1866).
(e) S.I. 1958/56 (1958 II, p. 1932).
(f) S.I. 1959/2181 (1959 II, p. 2111).

Regulations, 1956, Regulation 3 of the Police Pensions (Scotland) Regulations, 1958, and Regulation 2 of the Police Pensions (Scotland) Regulations, 1959, (which relates to the calculation of a widow's special pension) for the words before the proviso there shall be substituted the following words, that is to say:—

"A widow's special pension, including such a pension granted before the third day of April, 1961, shall be determined in accordance with Parts III and VII of the Second Schedule to these regulations:".

4. For paragraph (3) of Regulation 11 of the said Regulations of 1955, as amended by Regulation 4 of the Police Pensions (Scotland) (No. 2) Regulations, 1956, Regulation 4 of the Police Pensions (Scotland) Regulations, 1958, and Regulation 3 of the Police Pensions (Scotland) Regulations, 1959, (which relates to the discretionary increase in a widow's special pension) there shall be substituted the following paragraph:—

"(3) The amount up to which the pension may be increased shall be the amount, which may be increased in accordance with the provisions of Regulation 65, paragraph (1) of Regulation 66, Regulation 66A and Regulation 66B, of one sixth of her husband's average pensionable pay for a week, together with, for the first thirteen weeks that the pension is payable, eighty shillings a week and thereafter during the periods and in the conditions set out in Part II of the Second Schedule to these regulations, fifty-seven shillings and sixpence a week.".

5. In paragraph (*b*) of Part VII of the Second Schedule to the said Regulations of 1955, as set out in Regulation 7 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and amended by Regulation 5 of the Police Pensions (Scotland) Regulations, 1958, (which relates to the extent to which certain national insurance benefits are to be taken into account in calculating a widow's pension) for the words "twelve shillings" there shall be substituted the words "seventeen shillings".

6.—(1) In sub-paragraph (3) of paragraph 1 of Part III of the Third Schedule to the said Regulations of 1955, as amended by Regulation 6 of the Police Pensions (Scotland) Regulations, 1958, (which relates to the discretionary increase in a child's allowance) for the words "twenty-seven shillings and sixpence" there shall be substituted the words "thirty-two shillings and sixpence".

(2) In sub-paragraph (2) of paragraph 2 of the said Part III, as amended by Regulation 8 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and Regulation 6 of the Police Pensions (Scotland) Regulations, 1958—

(*a*) for the words "twenty shillings" there shall be substituted the words "twenty-five shillings"; and

(*b*) for the words "seventeen shillings" there shall be substituted the words "twenty-two shillings".

PART II

AMENDMENTS OF THE POLICE PENSIONS (SCOTLAND) REGULATIONS, 1949, IN SO FAR AS THEY CONTINUE TO HAVE EFFECT UNDER REGULATION 85 OF THE POLICE PENSIONS (SCOTLAND) REGULATIONS, 1955.

7. In paragraph (4) of Regulation 11 of the Police Pensions (Scotland) Regulations, 1949(a), as set out in Regulation 9 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and amended by Regulation 7 of

(a) S.I. 1949/1240 (1949 I, p. 3401).

the Police Pensions (Scotland) Regulations, 1958, (which relates to the discretionary increase in a widow's ordinary pension)—

(*a*) for the words "the twenty-seventh day of January, 1958" there shall be substituted the words "the third day of April, 1961"; and

(*b*) for the words "fifty shillings" there shall be substituted the words "fifty-seven shillings and sixpence".

8. For paragraph (3) of Regulation 13 of the said Regulations of 1949, as set out in Regulation 22 of the Police Pensions (Scotland) (No. 2) Regulations, 1956, and amended by Regulation 8 of the Police Pensions (Scotland) Regulations, 1958, and Regulation 16 of the Police Pensions (Scotland) Regulations, 1959, (which relates to the discretionary increase in a widow's special pension) there shall be substituted the following paragraph:—

"(3) The amount up to which the pension may be increased shall be the amount, which may be increased in accordance with the provisions of Regulation 63, paragraph (1) of Regulation 63A, Regulation 63B and Regulation 63C, of one-sixth of her husband's average pensionable pay for a week, together with, during the periods and in the conditions set out in Part II of the Second Schedule to these regulations, fifty-seven shillings and sixpence a week."

9. In paragraph 4 of Scheme II of Part I of the Second Schedule to the said Regulations of 1949, as set out in Regulation 12 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and amended by Regulation 9 of the Police Pensions (Scotland) Regulations, 1958, (which relates to the extent to which certain national insurance benefits are to be taken into account in calculating a widow's ordinary pension) for the words "twelve shillings" there shall be substituted the words "seventeen shillings".

10. In paragraph 3 of Part III of the Second Schedule to the said Regulations of 1949, as set out in Regulation 14 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and amended by Regulation 10 of the Police Pensions (Scotland) Regulations, 1958, (which relates to the extent to which certain national insurance benefits are to be taken into account in calculating a widow's special pension) for the words "twelve shillings" there shall be substituted the words "seventeen shillings".

11. In paragraph 3 of Part VI of the Second Schedule to the said Regulations of 1949, as set out in Regulation 15 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and amended by Regulation 11 of the Police Pensions (Scotland) Regulations, 1958, (which relates to the extent to which certain national insurance benefits are to be taken into account in calculating a widow's special pension where the husband's death results from an attack) for the words "twelve shillings" there shall be substituted the words "seventeen shillings".

12.—(1) In paragraph 2 of Part III of the Third Schedule to the said Regulations of 1949, as amended by Regulation 24 of the Police Pensions (Scotland) Regulations, 1951(a), Regulation 14 of the Police Pensions (Scotland) Regulations, 1952(b), Regulation 8 of the Police Pensions (Scotland) (No. 2) Regulations, 1955(c), and Regulation 12 of the Police Pensions (Scotland) Regulations, 1958, (which relates to the discretionary increase in a child's allowance) for the words "twenty-seven shillings and sixpence" there shall be substituted the words "thirty-two shillings and sixpence".

(a) S.I. 1951/2189 (1951 II, p. 229). (b) S.I. 1952/2177 (1952 II, p. 2594).
(c) S.I. 1955/486 (1955 II, p. 2006).

(2) In sub-paragraphs (*a*) and (*b*) of paragraph 3 of the said Part III, as set out in Regulation 12 of the Police Pensions (Scotland) Regulations, 1958—

(*a*) for the words "twenty shillings" there shall be substituted the words "twenty-five shillings"; and

(*b*) for the words "seventeen shillings" there shall be substituted the words "twenty-two shillings".

PART III

AMENDMENTS OF THE POLICE PENSIONS (SCOTLAND) REGULATIONS, 1948, IN SO FAR AS THEY CONTINUE TO HAVE EFFECT UNDER REGULATION 84 OF THE POLICE PENSIONS (SCOTLAND) REGULATIONS, 1949.

13. In paragraph (4) of Regulation 13 of the Police Pensions (Scotland) Regulations, 1948(a), as set out in Regulation 17 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and amended by Regulation 13 of the Police Pensions (Scotland) Regulations, 1958, (which relates to the discretionary increase in a widow's ordinary pension)—

(*a*) for the words "the twenty-seventh day of January, 1958" there shall be substituted the words "the third day of April, 1961"; and

(*b*) for the words "fifty shillings" there shall be substituted the words "fifty-seven shillings and sixpence".

14. For paragraph (3) of Regulation 14A of the said Regulations of 1948, as set out in Regulation 11 of the Police Pensions (Scotland) (No. 2) Regulations, 1955, and amended by Regulation 38 of the Police Pensions (Scotland) (No. 2) Regulations, 1956, Regulation 14 of the Police Pensions (Scotland) Regulations, 1958, and Regulation 26 of the Police Pensions (Scotland) Regulations, 1959, (which relates to the discretionary increase in a widow's special pension) there shall be substituted the following paragraph:—

"(3) The amount up to which the pension may be increased shall be the amount, which may be increased in accordance with the provisions of paragraphs (6), (6A), (6B) and (6C) of Regulation 66, of one-sixth of her husband's pensionable pay, together with, during the periods and in the conditions set out in Part II of the Second Schedule to these regulations, fifty-seven shillings and sixpence a week.".

15. In paragraph (6) of Regulation 18 of the said Regulations of 1948, as set out in Regulation 39 of the Police Pensions (Scotland) (No. 2) Regulations, 1956, and amended by Regulation 15 of the Police Pensions (Scotland) Regulations, 1958, (which relates to awards to widows made before the fifth day of July, 1948) for the words "fifty shillings" there shall be substituted the words "fifty-seven shillings and sixpence".

16. In paragraph (7) of Regulation 28 of the said Regulations of 1948, as set out in Regulation 14 of the Police Pensions (Scotland) (No. 2) Regulations, 1955, and amended by Regulation 19 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and Regulation 16 of the Police Pensions (Scotland) Regulations, 1958, (which relates to awards to children of a parent who died before the fifth day of July, 1948) for the words "the twenty-seventh day of January, 1958" there shall be substituted the words "the third day of April, 1961".

17. In paragraph 4 of Scheme II of Part I of the Second Schedule to the said Regulations of 1948, as set out in Regulation 21 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and amended by Regulation

(a) S.I. 1948/1530 (1948 I, p. 3503).

17 of the Police Pensions (Scotland) Regulations, 1958, (which relates to the extent to which certain national insurance benefits are to be taken into account in calculating a widow's ordinary pension) for the words "twelve shillings" there shall be substituted the words "seventeen shillings".

18. In paragraph 3 of Part III of the Second Schedule to the said Regulations of 1948, as set out in Regulation 23 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and amended by Regulation 18 of the Police Pensions (Scotland) Regulations, 1958, (which relates to the extent to which certain national insurance benefits are due to be taken into account in calculating a widow's special pension) for the words "twelve shillings" there shall be substituted the words "seventeen shillings".

19. In paragraph 3 of Part VII of the Second Schedule to the said Regulations of 1948, as set out in Regulation 25 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and amended by Regulation 19 of the Police Pensions (Scotland) Regulations, 1958, (which relates to the extent to which certain national insurance benefits are to be taken into account in calculating a widow's special pension where the husband's death results from an attack) for the words "twelve shillings" there shall be substituted the words "seventeen shillings".

20.—(1) In paragraph 2 of Part III of the Third Schedule to the said Regulations of 1948, as amended by Regulation 35 of the Police Pensions (Scotland) Regulations, 1951, Regulation 31 of the Police Pensions (Scotland) Regulations, 1952, Regulation 18 of the Police Pensions (Scotland) (No. 2) Regulations, 1955, and Regulation 20 of the Police Pensions (Scotland) Regulations, 1958, (which relates to the discretionary increase in a child's allowance) for the words "twenty-seven shillings and sixpence" there shall be substituted the words "thirty-two shillings and sixpence".

(2) In sub-paragraphs (*a*) and (*b*) of paragraph 3 of the said Part III, as set out in Regulation 20 of the Police Pensions (Scotland) Regulations, 1958—

(*a*) for the words "twenty shillings" there shall be substituted the words "twenty-five shillings"; and

(*b*) for the words "seventeen shillings" there shall be substituted the words "twenty-two shillings".

21.—(1) In paragraph 1 of Part VI of the Third Schedule to the said Regulations of 1948, as set out in Regulation 19 of the Police Pensions (Scotland) (No. 2) Regulations, 1955, and amended by Regulation 27 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, and Regulation 21 of the Police Pensions (Scotland) Regulations, 1958, (which relates to a child's discretionary allowance and the discretionary increase in an allowance where the parent died before the fifth day of July, 1948)—

(*a*) for the words "twenty shillings", wherever they occur, there shall be substituted the words "twenty-five shillings"; and

(*b*) for the words "twelve shillings" there shall be substituted the words "seventeen shillings".

(2) In sub-paragraph (2) of paragraph 2 of the said Part VI, as set out in Regulation 21 of the Police Pensions (Scotland) Regulations, 1958—

(*a*) for the words "twenty-seven shillings and sixpence" there shall be substituted the words "thirty-two shillings and sixpence";

(*b*) for the words " nineteen shillings and sixpence " there shall be substituted the words " twenty-four shillings and sixpence " ; and

(*c*) for the words " seventeen shillings and sixpence " there shall be substituted the words " twenty-two shillings and sixpence ".

PART IV

CITATION AND COMMENCEMENT

22. These Regulations may be cited as the Police Pensions (Scotland) (Amendment) Regulations, 1961, and shall come into operation on the third day of April, 1961.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

28th March, 1961.

We consent,

John Hill,
David Gibson-Watt,
Two of the Lords Commissioners of Her Majesty's Treasury.

28th March, 1961.

EXPLANATORY NOTE

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

These regulations (which are made under sections 1 and 3 of the Police Pensions Act, 1948), relate to widows' pensions and children's allowances. Part I amends the Police Pensions (Scotland) Regulations, 1955, which relate to awards made on and after 25th April, 1955 ; Part II amends the Police Pensions (Scotland) Regulations, 1949, which relate to awards made between 1st July, 1949, and 25th April, 1955 ; and Part III amends the Police Pensions (Scotland) Regulations, 1948, which relate to awards made before 1st July, 1949.

The principal amendments are described below.

Regulations 2, 4, 7, 8, 13, 14 and 15 increase the amount by which widows' pensions may be increased in those cases in which discretionary increases are permitted.

Regulations 6, 12, 20 and 21 make similar provision in relation to children's allowances.

Regulations 5, 9, 10, 11, 17, 18 and 19 adjust the extent of the abatement of a widow's pension by a national insurance widowed mother's allowance.