The Police Pensions (Scotland) Regulations, 1950

1950 No. 764 (S. 52)

Made - - - -	11*th May*, 1950
Coming into Operation	15*th May*, 1950*

In exercise of the powers conferred on me by sections one and three 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:—

1. In sub-paragraph (*d*) of paragraph (3) of Regulation 7 of the Police Pensions (Scotland) Regulations, 1949(b), after the words "ordinary pension" there shall be inserted the words "short service pension".

2. At the end of Regulation 31 of the said Regulations there shall be added the following sub-paragraph:—

"(*e*) where he has left the Royal Ulster Constabulary with the consent of the Inspector General of that Force and the approval of the Ministry of Home Affairs for Northern Ireland for the purpose of becoming a regular policeman in a home police force, any period of approved or pensionable service which he was, immediately before he so left, entitled to reckon for the purposes of any legislation for the time being in force in Northern Ireland relating to the superannuation of members of the Royal Ulster Constabulary."

3. After paragraph (6) of Regulation 38 of the said Regulations there shall be inserted the following paragraph:—

"(7) Where a member of a home police force—

(*a*) has been a member of the special police corps of the Control Commission for Germany (British Element) or the public safety branch of the Allied Commission for Austria (British Element) and a reversionary member of a home police force;

(*b*) has had his period of overseas service as a member of one of the aforesaid overseas corps varied by way of advancement of the date of its termination; and

(*c*) on or after the first day of October, 1949, has ceased to be such a member and has exercised his right of reversion to a home police force,

then his average pensionable pay shall be deemed to be not less than it would have been had he been entitled, until the date when his period of overseas service would have terminated if it had not been so varied, to a rate of pay equal to the rate of pay to which he was entitled immediately before he ceased to be a member of one of the aforesaid overseas corps."

(a) 11 & 12 Geo. 6. c. 24. (b) S.I. 1949 (No. 1240) I, p. 3401.

* A draft of these Regulations was approved by Resolution of the House of Commons 2nd May and the House of Lords 10th May in accordance with section 1(7) of the Police Pensions Act, 1948.

4. In Regulation 76 of the said Regulations, after the word " disablement ", in both places where it occurs, there shall be inserted the words " or death ".

5. In paragraph 5 of Part III of the First Schedule to the said Regulations, after the words " in receipt of " there shall be inserted the words " an ordinary pension or ".

6. At the end of Scheme I of Part I of the Second Schedule to the said Regulations there shall be added the following paragraph:—

" 2. Where the husband in respect of whose death the pension is payable was a member of a home police force who—

(*a*) had been a member of the special police corps of the Control Commission for Germany (British Element) or the public safety branch of the Allied Commission for Austria (British Element) and a reversionary member of a home police force;

(*b*) had had his period of overseas service as a member of one of the aforesaid overseas corps varied by way of advancement of the date of its termination;

(*c*) on or after the first day of October, 1949, had ceased to be such a member and had exercised his right of reversion to a home police force; and

(*d*) ceased to be a regular policeman before the date when his period of overseas service would have terminated if it had not been so varied,

then the widow's ordinary pension shall not be less than it would have been under the preceding paragraph, had he ceased to be a regular policeman when he ceased to be a member of one of the aforesaid overseas corps."

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

" 4. Where the parent in respect of whose death the allowance is payable was a member of a home police force who—

(*a*) had been a member of the special police corps of the Control Commission for Germany (British Element) or the public safety branch of the Allied Commission for Austria (British Element) and a reversionary member of a home police force;

(*b*) had had his period of overseas service as a member of one of the aforesaid overseas corps varied by way of advancement of the date of its termination;

(*c*) on or after the first day of October, 1949, had ceased to be such a member and had exercised his right of reversion to a home police force; and

(*d*) ceased to be a regular policeman before the date when his period of overseas service would have terminated if it had not been so varied,

then the child's ordinary allowance shall not be less than it would have been under the preceding paragraphs of this Part of this Schedule had he ceased to be a regular policeman when he ceased to be a member of one of the aforesaid overseas corps."

8. After sub-paragraph (*a*) of paragraph 1 of Part III of the Third Schedule to the said Regulations there shall be inserted the following sub-paragraph:—

"(*b*) where the parent in respect of whose death the allowance is payable was a member of a home police force who—

(i) had been a member of the special police corps of the Control Commission for Germany (British Element) or the public safety branch of the Allied Commission for Austria (British Element) and a reversionary member of a home police force;

(ii) had had his period of overseas service as a member of one of the aforesaid overseas corps varied by way of advancement of the date of its termination;

(iii) on or after the first day of October, 1949, had ceased to be such a member and had exercised his right of reversion to a home police force; and

(iv) ceased to be a regular policeman before the date when his period of overseas service would have terminated if it had not been so varied,

then a child's ordinary allowance may be increased to a rate not exceeding the rate to which it might have been increased had he ceased to be a regular policeman when he ceased to be a member of one of the aforesaid overseas corps."

and sub-paragraph (*b*) of the said paragraph shall stand as sub-paragraph (*c*).

9. These Regulations may be cited as the Police Pensions (Scotland) Regulations, 1950, and shall come into operation on the 15th day of May, 1950.

Hector McNeil.
One of His Majesty's
Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

We consent,

R. J. Taylor,
Charles Royle,
Two of the Lords Commissioners of
His Majesty's Treasury.

11th May, 1950.

EXPLANATORY NOTE

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

Regulation 1 provides that a supplemental pension shall be reduced by the amount of any short service pension in the same way as it is reduced by the amount of an ordinary or ill-health pension. Regulation 2 provides for the counting of service in the Royal Ulster Constabulary as pensionable service. Regulations 3, 6, 7 and 8 relate to the calculation of awards to or in respect of members of overseas corps, whose period of overseas service has been varied, where they have reverted to a home police force. Regulation 4 is a minor amendment to clarify the existing Regulations. Regulation 5 applies the provision for the reduction of short service pensions to ordinary pensions where they have been increased under Regulation 38 (6) of the existing Regulations.