EXPLANATORY NOTE

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

The Police (Overseas Service) Act, 1945, empowers the Secretary of State to make regulations for the government, discipline, pensions, allowances and gratuities in respect of persons engaged under his control in the performance of police duties in any territory outside the United Kingdom.

The Malayan Police Unit has been established under the control of the Secretary of State for the Colonies for police duties in Malaya.

These regulations provide for the appointment, resignation and dismissal of members of the Unit.

POLICE, SCOTLAND

The Police Pensions (Scotland) Regulations, 1951*

1951 No. 2189 (S. 105)

Made - - - - 11*th December*, 1951
Coming into Operation 1*st January*, 1952

In exercise of the powers conferred on me by sections one and three of the Police Pensions Act, 1948(a), and sections 43 and 44 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951(b), I hereby, with the consent of the Treasury and after consultation with the Scottish Police Council, make the following Regulations:—

PART I

AMENDMENTS TO POLICE PENSIONS (SCOTLAND) REGULATIONS, 1949, RELATING TO SERVICEMEN

1. In sub-paragraph (*d*) of paragraph (3) of Regulation 7 of the Police Pensions (Scotland) Regulations, 1949(c), for the words "which becomes payable under these Regulations" there shall be substituted the words "under these Regulations or any pension under Regulation 64 of these Regulations which becomes payable".

2. Regulation 9 of the said Regulations shall be omitted.

3. Regulation 26 of the said Regulations shall be omitted.

4. Paragraph (2) of Regulation 30 of the said Regulations shall be omitted.

5. In paragraph (5) of Regulation 38 of the said Regulations the words "the calculation of any award under" shall be omitted, for the words "relevant period of service in any of the naval, military or air forces of the Crown' there shall be substituted the words "period of relevant service in His Majesty's Forces" and for the words "the police force" there shall be substituted the words "his former force".

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*In accordance with the provisions of section 1(7) of the Police Pensions Act, 1948, a draft of these Regulations was approved by Resolution of the House of Lords and by Resolution of the House of Commons both on the 5th day of December, 1951.

(a) 11 & 12 Geo. 6. c. 24. (b) 14 & 15 Geo. 6. c. 65.
(c) S.I. 1949 (No. 1240) I, p. 3401; and *see* S.I. 1950 (No. 764) II, p. 353.

6. For Part XI of the said Regulations there shall be substituted the following Part:—

"PART XI

SERVICEMEN

Awards to servicemen

64.—(1) This Regulation shall apply in the case of a serviceman who at the end of his period of relevant service in His Majesty's Forces is permanently disabled for the performance of duty as a regular policeman.

(2) Such a person shall be entitled to the same award on the same conditions in all respects as if he had retired from his former force at the end of the said period on the ground of disablement.

(3) Where the disablement is the result of an injury received during the serviceman's period of relevant service in His Majesty's Forces, the police authority may, in their discretion—

(*a*) pay in lieu of a gratuity a pension at the rate of one-twelfth of his average pensionable pay ; and

(*b*) subject to and in accordance with paragraph 1 of the Fifth Schedule to these Regulations, increase any pension payable under this Regulation.

Awards on death of servicemen

65.—(1) If a serviceman entitled to reckon three years pensionable service—

(*a*) dies during his period of relevant service in His Majesty's Forces, or

(*b*) having been permanently disabled for duty as a regular policeman at the end of the said period (without any intervening period of service as such) dies as a result of the same injury as resulted in his disablement or while in receipt of a pension,

his widow shall be entitled to the same pension on the same conditions in all respects as if he were such a regular policeman as is described in paragraph (2) of Regulation 10 of these Regulations.

(2) If a serviceman dies during his period of relevant service in his Majesty's Forces and his widow is not entitled to a pension, she shall be entitled to a gratuity under Regulation 15 of these Regulations on the same conditions in all respects as if he were a regular policeman.

(3) If a serviceman—

(*a*) dies during his period of relevant service in His Majesty's Forces, or

(*b*) having been permanently disabled for duty as a regular policeman at the end of the said period (without any intervening period of service as such) dies while in receipt of a pension or, being a person entitled to reckon not less than three years pensionable service dies having received a gratuity,

then each of his children shall be entitled to the same allowance on the same conditions in all respects as if he were such a member of a police force as is mentioned in paragraph (2) of Regulation 20 of these Regulations.

(4) Where a serviceman dies as a result of an injury received during his period of relevant service in His Majesty's Forces, the police authority may, in their discretion—

(*a*) pay to the widow, in lieu of a gratuity, a pension at the rate of nineteen shillings and twopence a week ; and

(*b*) subject to and in accordance with paragraphs 2 and 3 of the Fifth Schedule to these Regulations, increase any pension or allowance payable under this Regulation.

(5) Regulation 28 of these Regulations shall apply to an award under this Regulation as though this Regulation were included in Part III of these Regulations.

Application of Regulation 27

65A. In relation to a serviceman, Regulation 27 of these Regulations shall apply—

(*a*) where he dies during his relevant period of service in His Majesty's Forces, as if he died while serving as a member of a police force ; and

(*b*) where he dies as a result of an injury received during the said period, as if he died as a result of an injury received in the execution of his duty as a member of a police force.

Servicemen who resume service as regular policemen

65B. If a serviceman who resumes or has resumed service as a regular policeman is permanently disabled or dies as a result of an injury received during his period of relevant service in His Majesty's Forces, the police authority may in relation to any award payable to or in respect of him (other than an award under Regulation 8 of these Regulations) exercise the same discretions as are conferred by Regulation 64 or by Regulation 65 of these Regulations.

Servicemen who do not resume service in their former force

65C. If a serviceman within one month of the end of his period of relevant service in His Majesty's Forces does not resume service in his former force, he shall be treated for the purposes of Regulations 8, 31, 32, 33, 70 and 73 of these Regulations as having left his former force at the end of his period of relevant service in His Majesty's Forces.

Pensionable service

66.—(1) A serviceman shall be entitled to reckon as pensionable service in his former force his period of relevant service after the appointed day in His Majesty's Forces.

(2) A serviceman (1939-1945) shall also be entitled so to reckon as pensionable service—

(*a*) such further period as the Secretary of State may fix or have fixed not exceeding three months after the end of his period of relevant service in His Majesty's Forces and before becoming a member of a police force or becoming entitled to an award under these Regulations, and

(*b*) any period of pensionable service under the Police Pensions (Scotland) Regulations, 1948, which he was entitled to reckon immediately before the appointed day.

Pension contributions

67. This Part shall have effect only in the case of a serviceman who pays pension contributions to the police authority of his former force as though he had remained a regular policeman in that force in respect of his period of service after the appointed day reckonable under Regulation 66 of these Regulations:

Provided that this part shall have effect notwithstanding that pension contributions are not paid as aforesaid—

(*a*) by a serviceman other than a serviceman (1939-1945) in respect of—

(i) any period during which his service pay when aggregated with any payments under Part V of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, is less than his pensionable pay, or

(ii) any period before the first day of January, 1952, for which he has been called up for service in His Majesty's Forces under the National Service Acts, 1939 to 1946(**a**), or the National Service Act, 1948(**b**), or required for training or called into actual service or called out for training or for permanent service in His Majesty's Forces in pursuance of his obligations as a member of the territorial army or any reserve of His Majesty's Forces and in respect of which no payments under Part V of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, have been made; or

(*b*) by a serviceman (1939-1945) in respect of such periods as those in respect of which he would not have been compelled to pay sums equal to rateable deductions if the Act had not been passed."

7.—(1) In Regulation 68 of the said Regulations after the definition of the expression " child " there shall be inserted the following definition:—

" ' former force ' means the police force in which a serviceman was serving immediately before undertaking a period of relevant service in His Majesty's Forces ".

(2) For the definition of " serviceman " in the said Regulation there shall be substituted the following definition:—

" ' serviceman ' means a person who immediately before undertaking a period of relevant service in His Majesty's Forces was a regular policeman and includes a serviceman (1939-1945) ".

8. In sub-paragraph (*a*) of Regulation 73 of the said Regulations, after the words " joined that force " there shall be inserted the words " otherwise than as a serviceman resuming service in his former force within one month of the end of his period of relevant service in His Majesty's Forces ".

9. For Regulation 78 of the said Regulations there shall be substituted the following Regulation:—

" 78. A reference to relevant service in His Majesty's Forces shall be construed as a reference to—

(*a*) service specified in the First Schedule to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, other than service specified in sub-paragraph (*b*) of paragraph 5 thereof;

(a) 9 & 10 Geo. 6. c. 38. (b) 11 & 12 Geo. 6. c. 64.

(*b*) part-time service under the National Service Act, 1948, otherwise than pursuant to a training notice under that Act;

(*c*) service for the purposes of training only performed by a person mentioned in paragraph 7 of the First Schedule to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, for a period shorter than seven days, and

(*d*) in relation to a serviceman (1939-1945), service in His Majesty's Forces up to such date after the appointed day as the Secretary of State on the application of the police authority of his former force may in this case fix or have fixed."

10. Part V of the First Schedule to the said Regulations shall be omitted.

11. After the Fourth Schedule to the said Regulations there shall be inserted the following Schedule:—

"FIFTH SCHEDULE Regulations 64 and 65

LIMITS IN RESPECT OF AWARDS TO OR IN RESPECT OF SERVICEMEN

1. The amount of the pension payable to a serviceman for any period shall not, when aggregated with the amount of any armed forces pension or award other than an allowance for constant attendance, wear and tear of clothing or comforts, which is also payable to or in respect of him for that period in pursuance of any royal warrant or other instrument, exceed—

(*a*) in the case of a serviceman other than a serviceman (1939-1945), the amount of the award which would have been payable for that period if the injury as a result of which he is permanently disabled had been treated as if it were an injury received without his own default in the execution of his duty as a member of a police force, or

(*b*) in the case of a serviceman (1939-1945), the amount calculated according to the subjoined Table:—

TABLE

Completed years of pensionable service	Amount expressed in 60ths of average pensionable pay
Less than 11	45
11 or more but less than 16	48
16 or more but less than 21	51
21 or more but less than 26	54
26 or more but less than 30	57
30 or more	60

2. The amount of the pension payable to the widow of a serviceman for any period shall not, when aggregated with the amount of any armed forces pension or award which is also so payable for that period in respect of her husband in pursuance of any royal warrant or other instrument, exceed—

(*a*) in the case of the widow of a serviceman other than a serviceman (1939-1945), the amount of the pension which would have been payable for that period if the injury as a result of which her husband died had been treated as if it were an injury received without his own default in the execution of his duty as a member of a police force, or

(*b*) in the case of the widow of a serviceman (1939-1945), an amount, which shall be increased in accordance with the provisions of Regulation 63 of these Regulations equal to one-third of his average pensionable pay for a week.

3. The amount of the allowance payable to a child of a serviceman for any period shall not, when aggregated with the amount of any armed forces pension or award payable to or for the child for that period in respect of the father in pursuance of any royal warrant or other instrument, exceed—

(*a*) in the case of a child of a serviceman other than a serviceman (1939-1945), the amount of the allowance which would have been payable for that period if the injury as a result of which the father died had been treated as if it were an injury received without his own default in the execution of his duty as a member of a police force, and

(*b*) in the case of a child of a serviceman (1939-1945), an amount, which shall be increased in accordance with the provisions of Regulation 63 of these Regulations, equal to one-fifteenth of his average pensionable pay for a week.

4. Where the armed forces award, the amount whereof for any period is to be aggregated for the purpose of this Schedule with the amount of any pension or allowance payable to any person for that period, is a gratuity, the amount of the armed forces award for that period shall be taken to be the amount which would be payable for that period under Part I of the Government Annuities Act, 1929(a), if the gratuity had been laid out at the date when it became payable in the purchase of an annuity dependent on the life of that person."

12.—(1) Section thirty-eight of the Interpretation Act, 1889(b), shall apply as if this Part of these Regulations were an Act of Parliament and as if the Regulations revoked by this Part of these Regulations were Acts of Parliament revoked by an Act of Parliament.

(2) This Part of these Regulations shall, in relation to a serviceman other than a serviceman (1939-1945), have retrospective effect as from the fifteenth day of July, 1950.

(3) In this Regulation the expression "serviceman" and "serviceman (1939-1945)" have the same meanings as in the Police Pensions (Scotland) Regulations, 1949, as amended by these Regulations.

PART II

MISCELLANEOUS AMENDMENTS TO THE POLICE PENSIONS (SCOTLAND) REGULATIONS, 1949

13.—(1) In paragraph (1) of Regulation 10 of the Police Pensions (Scotland) Regulations, 1949, the words "of the amount described in Part I of the Second Schedule to these Regulations" shall be omitted.

(2) In sub-paragraph (*c*) of paragraph (2) of Regulation 10 of the said Regulations—

(*a*) head (i) shall be omitted;

(*b*) head (ii) shall be re-numbered as (i); and

(a) 19 & 20 Geo. 5. c. 29. (b) 52 & 53 Vict. c. 63.

(*c*) after head (ii) as so re-numbered there shall be inserted the following words :—

"or

(ii) dies while entitled to a pension granted under the Police Reservists (Allowances) Act, 1914(**a**), as amended by any subsequent enactment, whether or not he is in receipt of payments in respect of the said pension at the date of his death."

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

"(3) A widow's ordinary pension, including such a pension granted before the first day of January, 1952, shall be of the amount described in Part I of the Second Schedule to these Regulations."

14. At the end of Regulation 11 of the said Regulations there shall be added the following paragraphs:—

"(5) Where a widow is in receipt of a pension increased or granted under this Regulation and—

(*a*) she was on the first day of October, 1951, between the ages of sixty and sixty-five years and in receipt of a pension so increased or granted, or

(*b*) she has attained the age of sixty-five years, or

(*c*) that pension so increased or granted is payable by virtue of the fact that she would have been entitled as aforesaid to receive widowed mother's allowance under the National Insurance Act, 1946(**b**), then the rate of the pension shall be further increased or increased by four shillings a week except during the first thirteen weeks that the pension is payable.

(6) Notwithstanding the preceding provisions of this Regulation 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."

15. For paragraph (2) of Regulation 12 of the said Regulations there shall be substituted the following paragraph:—

"(2) A widow's special pension including such a pension granted before the first day of January, 1952, shall be of the amount described in Part III of the Second Schedule to these Regulations."

16. At the end of Regulation 13 of the said Regulations there shall be added the following paragraph:—

"(4) Where a widow is in receipt of a pension increased under this Regulation, and

(*a*) she was on the first day of October, 1951, between the ages of sixty and sixty-five years and in receipt of a pension so increased, or

(*b*) she has attained the age of sixty-five years, or

(*c*) that pension so increased is payable by virtue of the fact that she would have been entitled as aforesaid to receive widowed mother's allowance under the National Insurance Act, 1946,

then the rate of the pension shall be further increased by four shillings a week except during the first thirteen weeks that the pension is payable."

(a) 4 & 5 Geo. 5. c. 34. (b) 9 & 10 Geo. 6. c. 67.

17. In paragraph (1) of Regulation 22 of the said Regulations after the words " in their discretion " there shall be inserted the words " from time to time ".

18. In paragraph (3) of Regulation 39 of the said Regulations for the words " or a serviceman (1939-1945) " there shall be substituted the words " a serviceman (1939-1945) or a member of the Royal Ulster Constabulary " and in the proviso to the said paragraph after the words " Police Pensions (Scotland) Regulations, 1948 ", there shall be inserted the words " or where he elected in accordance with the provisions of sub-paragraph (3) of paragraph 36 of the Schedule to the Royal Ulster Constabulary Pensions Order, 1949(**a**), as the case may be, then ".

19. In Regulation 81 of the said Regulations after the words " shall include " there shall be inserted " (*a*) " and at the end of the said Regulation there shall be added the following words—

" and

(*b*) a reference to a period which he would have been so entitled to reckon had subsection (1) of section eight of the said Act had effect as though the words ' in which he has completed not less than one year's approved service, and ' were omitted."

20. In sub-paragraph (*a*) of paragraph (1) of Regulation 83 of the said Regulations the words " within three years of the appointed day " shall be omitted.

21.—(1) At the end of paragraph 3 of Part III of the First Schedule to the said Regulations there shall be added the following words—

" In this paragraph the expression ' appropriate date ' means the fifth day of July, 1948, or, in the case of a person who was then an auxiliary policeman, the date on which he first thereafter became a regular policeman ".

(2) In paragraph 4 of the said Part III, after the words " Regulation 39 of these Regulations " there shall be inserted the words " or has paid contributions as a member of the Royal Ulster Constabulary at the rate specified in sub-paragraph (1) of paragraph 36 of the Schedule to the Royal Ulster Constabulary Pensions Order, 1949, or in any provision substituted therefor ".

22. In Part I of the Second Schedule to the said Regulations for paragraph 3 of Scheme II there shall be substituted the following paragraphs:—

" 3. If she is entitled under the National Insurance Act, 1946, to a widow's allowance or a retirement pension which is increased under section twenty-three of the said Act then for the purposes of this Scheme that allowance or pension shall be deemed not to have been so increased.

4. If she is entitled to a widowed mother's allowance under the said Act that allowance shall for the purposes of this Scheme be deemed to be less than it is by the amount of seven shillings and sixpence together with two shillings and sixpence for each child included in her family within the meaning of the Family Allowances Act, 1945."(**b**)

23. For paragraph 2 of Part III of the Second Schedule to the said Regulations there shall be substituted the following paragraphs:—

" 2. If she is entitled under the National Insurance Act, 1946, to a widow's allowance or a retirement pension which is increased under section

(a) S.R. & O. of Northern Ireland 1949 No. 211. (b) 8 & 9 Geo. 6. c. 41.

twenty-three of the said Act then for the purposes of this Part of this Schedule that allowance or pension shall be deemed not to have been so increased.

3. If she is entitled to a widowed mother's allowance under the said Act that allowance shall for the purposes of this Part of this Schedule be deemed to be less than it is by the amount of seven shillings and sixpence together with two shillings and sixpence for each child included in her family within the meaning of the Family Allowances Act, 1945."

24.—(1) Sub-paragraph (*a*) of paragraph 2 of Part III of the Third Schedule to the said Regulations shall be omitted.

(2) In sub-paragraph (*b*) of the said paragraph 2 for the words "twelve shillings" there shall be substituted the words "thirteen shillings and sixpence".

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

"3. Where the parent in respect of whose death the allowance is payable was the child's father and the mother of the child is alive and would have been entitled to receive widow's benefit or a retirement pension under the National Insurance Act, 1946, but for the fact that the father had not satisfied the contribution condition set out in paragraph (*a*) of sub-paragraph (1) of paragraph 4 of the Third Schedule to the said Act, then the child's allowance in respect of any week during which—

(i) the mother is not receiving a retirement pension under the said Act;

(ii) the child is included in a family within the meaning of the Family Allowances Act, 1945;

(iii) where the allowance is a child's special allowance, no allowance is payable under section twenty-one of the National Insurance (Industrial Injuries) Act, 1946(**a**), in respect of that child; and

(iv) no grant is payable to or in respect of the child out of any naval, military or air force fund in pursuance of any Royal Warrant or other instrument or under any scheme made under the Personal Injuries (Emergency Provisions) Act, 1939(**b**),

may be increased—

(*a*) in the case of a child who is the only child included in a family within the meaning of the Family Allowances Act, 1945, or that one of those children so included who is older than the others, to a rate not exceeding ten shillings a week;

(*b*) in any other case to a rate not exceeding seven shillings and sixpence a week."

25. In paragraph 3 of Part IV of the Third Schedule to the said Regulations after the words "National Insurance (Industrial Injuries) Act, 1946", there shall be inserted the words "at the weekly rate of ten shillings".

(a) 9 & 10 Geo. 6. c. 62. (b) 2 & 3 Geo. 6. c. 82.

PART III

AMENDMENTS TO 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

26.—(1) In paragraph (1) of Regulation 12 of the Police Pensions (Scotland) Regulations, 1948(a), the words from " amount " 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 widow's ordinary pension which was granted under this Regulation shall be of the amount described in Part I of the Second Schedule to these Regulations:

Provided that where the date of the death of the husband is the sixth day of April, 1949, or any later date, the pension in respect of the period after the thirty-first day of December, 1951, shall be increased by such amount that it is not less than it would have been if calculated in accordance with Part I of the Second Schedule to the Police Pensions (Scotland) Regulations, 1949, as amended by the Police Pensions (Scotland) Regulations, 1951."

27.—(1) The proviso to paragraph (4) of Regulation 13 of the said Regulations shall be omitted.

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

" (5) Where a widow is in receipt of a pension increased or granted under this Regulation and—

(*a*) she was on the first day of October, 1951, between the ages of sixty and sixty-five years and in receipt of a pension so increased or granted, or

(*b*) she has attained the age of sixty-five years, or

(*c*) that pension so increased or granted is payable by virtue of the fact that she would have been entitled as aforesaid to receive widowed mother's allowance under the National Insurance Act, 1946,

then the rate of the pension shall be further increased or increased by four shillings a week except during the first thirteen weeks that the pension is payable.

(6) Notwithstanding the preceding provisions of this Regulation 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."

28. For paragraph (2) of Regulation 14 of the said Regulations there shall be substituted the following paragraph:—

" (2) A widow's special pension which was granted under this Regulation shall be of the amount described in Part III of the Second Schedule to these Regulations."

(a) S.I. 1948 (No. 1530) I, p. 3503.

29. At the end of Regulation 14A of the said Regulations there shall be added the following paragraph:—

"(4) Where a widow is in receipt of a pension increased under this Regulation and—

(*a*) she was on the first day of October, 1951, between the ages of sixty and sixty-five years, and in receipt of a pension so increased, or

(*b*) she has attained the age of sixty-five years, or

(*c*) that pension so increased is payable by virtue of the fact that she would have been entitled as aforesaid to receive widowed mother's allowance under the National Insurance Act, 1946,

then the rate of the pension shall be further increased by four shillings a week except during the first thirteen weeks that the pension is payable."

30. At the end of Regulation 18 of the said Regulations there shall be added the following paragraph:—

"(8) Where a widow is in receipt of a pension increased or granted under this Regulation and—

(*a*) she was on the first day of October, 1951, between the ages of sixty and sixty-five years and in receipt of a pension so increased or granted, or

(*b*) she has attained the age of sixty-five years, or

(*c*) that pension so increased or granted is payable by virtue of the fact that she has a family within the meaning of the Family Allowances Act, 1945, which includes a child in receipt of an allowance from the police authority,

then the rate of pension shall be further increased or increased by four shillings a week except during the first thirteen weeks that the pension is payable."

31. In paragraph (1) of Regulation 24 of the said Regulations after the words "in their discretion" there shall be inserted the words "from time to time".

32.—(1) In paragraph (4) of Regulation 28 of the said Regulations for the word "manner" there shall be substituted the word "cases".

(2) In paragraph (5) of the said Regulation for the words "subject to the provisions of" there shall be substituted the words "in the circumstances and cases provided by".

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

"(7) An allowance increased or granted under this Regulation, including such an allowance increased or granted before the first day of January 1952, shall be of the increased amount or of the amount described in Part VI of the Third Schedule to these Regulations".

33. In Part I of the Second Schedule to the said Regulations for paragraph 3 of Scheme II there shall be substituted the following paragraphs:—

"3. If she is entitled under the National Insurance Act, 1946, to a widow's allowance or a reitrement pension which is increased under section twenty-three of the said Act then for the purposes of this Scheme that allowance or pension shall be deemed not to have been so increased.

4. If she is entitled to a widowed mother's allowance under the said Act that allowance shall for the purposes of this Scheme be deemed to be less than it is by the amount of seven shillings and sixpence together with two shillings and sixpence for each child included in her family within the meaning of the Family Allowances Act, 1945."

34. For paragraph 2 of Part III of the Second Schedule to the said Regulations there shall be substituted the following paragraphs:—

"2. If she is entitled under the National Insurance Act, 1946, to a widow's allowance or a retirement pension which is increased under section twenty-three of the said Act then for the purposes of this Part of this Schedule that allowance or pension shall be deemed not to have been so increased.

3. If she is entitled to a widowed mother's allowance under the said Act that allowance shall for the purposes of this Part of this Schedule be deemed to be less than it is by the amount of seven shillings and sixpence together with two shillings and sixpence for each child included in her family within the meaning of the Family Allowances Act, 1945."

35.—(1) Sub-paragraph (*a*) of paragraph 2 of Part III of the Third Schedule to the said Regulations shall be omitted.

(2) In sub-paragraph (*b*) of the said paragraph 2 for the words "twelve shillings" there shall be substituted the words "thirteen shillings and sixpence".

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

"3. Where the parent in respect of whose death the allowance is payable was the child's father and the mother of the child is alive and would have been entitled to receive widow's benefit or a retirement pension under the National Insurance Act, 1946, but for the fact that the father had not satisfied the contribution condition set out in paragraph (*a*) of sub-paragraph (1) of paragraph 4 of the Third Schedule to the said Act, then the child's allowance in respect of any week during which—

(i) the mother is not receiving a retirement pension under the said Act;

(ii) the child is included in a family within the meaning of the Family Allowances Act, 1945;

(iii) where the allowance is a child's special allowance, no allowance is payable under section twenty-one of the National Insurance (Industrial Injuries) Act, 1946, in respect of that child; and

(iv) no grant is payable to or in respect of the child out of any naval, military or air force fund in pursuance of any Royal Warrant or other instrument or under any scheme made under the Personal Injuries (Emergency Provisions) Act, 1939,

may be increased—

(*a*) in the case of a child who is the only child included in a family within the meaning of the Family Allowances Act, 1945, or that one of those children so included who is older than the others, to a rate not exceeding ten shillings a week;

(*b*) in any other case to a rate not exceeding seven shillings and sixpence a week."

36. In paragraph 3 of Part IV of the Third Schedule to the said Regulations after the words " National Insurance (Industrial Injuries) Act, 1946," there shall be inserted the words " at the weekly rate of ten shillings ".

37.—(1) In paragraph 1 of Part VI of the Third Schedule to the said Regulations for the words " seven shillings and sixpence " where they first occur there shall be substituted the words " ten shillings " and for the words from " and during which " to the end of the said paragraph there shall be substituted the following words:—

" in the case of a child who is the only child included in a family within the meaning of the Family Allowances Act, 1945, or that one of the children so included who is older than the others—

(i) the increase in the amount of the allowance under paragraph (1) of the said Regulation, as so ascertained, shall be the difference between that amount and ten shillings a week, or

(ii) the allowance granted under paragraph (5) of the said Regulation shall be ten shillings a week,

and in the case of any other child included in a family within the meaning of the Family Allowances Act, 1945, where that one of the children so included who is older than the others is in receipt of an allowance granted under paragraph (5) of the said Regulation, the allowance granted under paragraph (5) of the said Regulation shall be two shillings and sixpence a week ".

(2) In paragraph 2 of the said Part VI for the words " twelve shillings ", where they first occur, there shall be substituted the words " thirteen shillings and sixpence ", and for the words from " the police authority " to the end of the said paragraph there shall be substituted the following words:—

" in the case of a child who is the only child included in a family within the meaning of the Family Allowances Act, 1945, or that one of the children so included who is older than the others—

(i) the increase in the amount of the allowance under paragraph (1) of the said Regulation, as so ascertained, shall be the difference between that amount and thirteen shillings and sixpence a week, or

(ii) the allowance granted under paragraph (5) of the said Regulation shall be thirteen shillings and sixpence a week,

and in the case of any other child included in a family within the meaning of the Family Allowances Act, 1945, the allowance granted under paragraph (5) of the said Regulation shall be eight shillings and sixpence a week ".

PART IV

CITATION AND COMMENCEMENT

38.—(1) These Regulations may be cited as the Police Pensions (Scotland) Regulations, 1951, and shall come into operation on the first day of January, 1952.

(2) Except where the context otherwise requires, these Regulations shall extend to Scotland only.

James Stuart,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
10th December, 1951.

We consent,

Herbert Butcher,
Edwin Heath,
Two of the Lords Commissioners of His Majesty's Treasury.

11th December, 1951.

EXPLANATORY NOTE

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

Part I of these Regulations amends the Police Pensions (Scotland) Regulations, 1949, by assimilating in general the pension rights of all regular members of police forces who serve temporarily in the armed forces to the rights of those who served in the 1939-45 War. In so far as these amendments relate to service mentioned in section forty-four of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951, Regulation 12 provides that they shall have effect as from the 15th July, 1950.

Parts II and III of these Regulations amend the Police Pensions (Scotland) Regulations, 1949, and the Police Pensions (Scotland) Regulations, 1948, providing for increases in certain cases to widows' pensions and children's allowances. Part II also amends the Police Pensions (Scotland) Regulations, 1949, in relation to other matters; Regulation 13 (2) relates to the pension rights of a widow of a man who dies while entitled to an allowance under the Police Reservists (Allowances) Act, 1914; Regulations 18 and 21 relate to the rate of contributions payable by, and the abatement at the age of sixty-five years (or sixty in the case of a woman) of the pension of, a member of a police force who has been a member of the Royal Ulster Constabulary; Regulation 19 enables certain short periods of broken service to be reckoned as pensionable service and Regulation 20 relates to the calculation of an ordinary pension of a member of a police force serving on the 28th August, 1921, who is, by reason of age, compelled to retire.