# 1958 No. 56 (S. 2)

# The Police Pensions (Scotland) Regulations, 1958

*Made* - - - - 9*th January*, 1958
*Coming into Operation* 27*th January*, 1958

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**), (which relates to the calculation of a widow's ordinary pension) for the words "the first day of January, 1957" there shall be substituted the words "the twenty-seventh day of January, 1958".

**2.** In paragraph (3) of Regulation 9 of the said Regulations of 1955, as amended by Regulation 2 of the Police Pensions (Scotland) (No. 2) Regulations, 1956, and Regulation 2 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, (which relates to the discretionary increase in a widow's ordinary pension) for the words before the proviso there shall be substituted the following words:—

"A pension increased under this Regulation, including a pension so increased before the twenty-seventh day of January, 1958, shall be payable, except where the husband died before the fifth day of July, 1948, at a rate increased by seventy 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 shillings 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, and Regulation 3 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, (which relates to the calculation of a widow's special pension) for the words "the first day of January, 1957" there shall be substituted the words "the twenty-seventh day of January, 1958".

**4.** In 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, (which relates to the discretionary increase in a widow's special pension)—

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

(*b*) for the words "forty shillings" there shall be substituted the words "fifty shillings".

(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).

**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, (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 "eight shillings and sixpence" there shall be substituted the words "twelve shillings".

**6.**—(1) In sub-paragraph (3) of paragraph 1 of Part III of the Third Schedule to the said Regulations of 1955 (which relates to the discretionary increase in a child's allowance) for the words "Eighteen shillings" there shall be substituted the words "twenty-seven 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—

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

(*b*) for the words "thirteen shillings and sixpence" there shall be substituted the words "seventeen 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, (which relates to the discretionary increase in a widow's ordinary pension)—

(*a*) for the words "the first day of January, 1957" there shall be substituted the words "the twenty-seventh day of January, 1958"; and

(*b*) for the words "forty shillings" there shall be substituted the words "fifty shillings".

**8.** In 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, (which relates to the discretionary increase in a widow's special pension) for the words "forty shillings" there shall be substituted the words "fifty shillings".

**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, (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 "eight shillings and sixpence" there shall be substituted the words "twelve 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, (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 "eight shillings and sixpence" there shall be substituted the words "twelve 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, (which relates to the extent to which certain national insurance benefits are to be taken into account in calculating

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

a widow's special pension where the husband's death results from an attack) for the words "eight shillings and sixpence" there shall be substituted the words "twelve shillings".

**12.**—(1) In paragraph 2 of Part III of the Third Schedule to the said Regulations of 1949, as amended by Regulation 23 of the Police Pensions (Scotland) Regulations, 1951(**a**), Regulation 14 of the Police Pensions (Scotland) Regulations, 1952(**b**), and Regulation 8 of the Police Pensions (Scotland) (No. 2) Regulations, 1955(**c**), (which relates to the discretionary increase in a child's allowance) for the words "eighteen shillings" there shall be substituted the words "twenty-seven shillings and sixpence".

(2) For sub-paragraphs (*a*) and (*b*) of paragraph 3 of the said Part III, as set out in Regulation 24 of the Police Pensions (Scotland) Regulations, 1951, and amended by Regulation 14 of the Police Pensions (Scotland) Regulations, 1952, Regulation 8 of the Police Pensions (Scotland) (No. 2) Regulations, 1955, and Regulation 16 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, (which relates to the discretionary increase in a child's allowance) there shall be substituted the following sub-paragraphs:—

"(*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(**d**), or that one of those children so included who is older than the others to a rate not exceeding twenty shillings a week;

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

## 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(**e**), as set out in Regulation 17 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, (which relates to the discretionary increase in a widow's ordinary pension)—

(*a*) for the words "the first day of January, 1957" there shall be substituted the words "the twenty-seventh day of January, 1958"; and

(*b*) for the words "forty shillings" there shall be substituted the words "fifty shillings".

**14.** In 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, (which relates to the discretionary increase in a widow's special pension) for the words "forty shillings" there shall be substituted the words "fifty shillings".

**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, (which relates to awards to widows made before the fifth day of July, 1948) for the words "forty shillings" there shall be substituted the words "fifty shillings".

(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). (d) 8 & 9 Geo. 6. c. 41.
(e) S.I. 1948/1530 (1948 I, p. 3503).

**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, (which relates to awards to children of a parent who died before the fifth day of July, 1948) for the words "the first day of January, 1957" there shall be substituted the words "the twenty-seventh day of January, 1958".

**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, (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 "eight shillings and sixpence" there shall be substituted the words "twelve 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, (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 "eight shillings and sixpence" there shall be substituted the words "twelve 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, (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 "eight shillings and sixpence" there shall be substituted the words "twelve 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, and Regulation 18 of the Police Pensions (Scotland) (No. 2) Regulations, 1955, (which relates to the discretionary increase in a child's allowance) for the words "eighteen shillings" there shall be substituted the words "twenty-seven shillings and sixpence".

(2) For sub-paragraphs (*a*) and (*b*) of paragraph 3 of the said Part III, as set out in Regulation 35 of the Police Pensions (Scotland) Regulations, 1951, and amended by Regulation 31 of the Police Pensions (Scotland) Regulations, 1952, Regulation 18 of the Police Pensions (Scotland) (No. 2) Regulations, 1955, and Regulation 26 of the Police Pensions (Scotland) (No. 3) Regulations, 1956, (which relates to the discretionary increase in a child's allowance) there shall be substituted the following sub-paragraphs:—

"(*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 twenty shillings a week;

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

**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, (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 "sixteen shillings and sixpence", wherever they occur, there shall be substituted the words "twenty shillings"; and

(*b*) for the words "eight shillings and sixpence" there shall be substituted the words "twelve shillings".

(2) For paragraph 2 of the said Part VI, as set out in Regulation 19 of the Police Pensions (Scotland) (No. 2) Regulations, 1955, there shall be substituted the following paragraph:—

"2.—(1) Where a child is entitled to an allowance under paragraph (1) of Regulation 28 and the amount of the allowance as ascertained under the provisions of the said Regulation is less than the appropriate amount set out in sub-paragraph (2) of this paragraph, or where a child is granted an allowance under paragraph (5) of the said Regulation, and—

(*a*) the person in respect of whose death the allowance is payable was his father; and

(*b*) the mother of the child is dead,

then in respect of any week during which no person is receiving a guardian's allowance under the National Insurance Act, 1946(a), in respect of that child and 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)—

(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 the appropriate amount set out in sub-paragraph (2), or

(ii) the allowance granted under paragraph (5) of the said Regulation shall be equal to the appropriate amount so set out.

(2) The appropriate amount referred to in the preceding sub-paragraph shall be—

(*a*) twenty-seven shillings and sixpence 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;

(*b*) nineteen shillings and sixpence in the case of a child who is the first child other than the elder or eldest so included; or

(*c*) seventeen shillings and sixpence in the case of any other child so included.".

## PART IV

### *Citation and Commencement*

**22.** These Regulations may be cited as the Police Pensions (Scotland) Regulations, 1958, and shall come into operation on the twenty-seventh day of January, 1958.

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

6th January, 1958.

We consent,

*Edward Wakefield,*
*Antony Barber,*
Two of the Lords Commissioners of Her Majesty's Treasury.

9th January, 1958.

(a) 9 & 10 Geo. 6. c. 67. (b) 2 & 3 Geo. 6. c. 82.

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 to take account of the payment of national insurance benefit.

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## 1958 No. 649 (S. 30)

## The Police Pensions (Scotland) (No. 2) Regulations, 1958

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| *Made* - - - - | 11*th April*, 1958 |
| *Coming into Operation* | 14*th April*, 1958 |

In exercise of the powers conferred on me by section 1 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:—

**1.** In paragraph (3) of Regulation 6 of the Police Pensions (Scotland) Regulations, 1955(b), as amended by Regulation 4 of the Police Pensions (Scotland) Regulations, 1956(c), (which relates to entitlement to, and the calculation of, a policeman's supplemental pension) after the words "and is reduced in accordance with" there shall be inserted the words "the provisions of Regulation 6A, of Regulation 67 or of".

**2.** After Regulation 6 of the said Regulations of 1955 there shall be inserted the following Regulations:—

"*Commutation of part of pension*

6A.—(1) A regular policeman who has served as such on or after the fourteenth day of April, 1958, may, in accordance with the provisions of this Regulation, commute for a lump sum a portion of any pension,

(a) 11 & 12 Geo. 6. c. 24. (b) S.I. 1955/485 (1955 II, p. 1959).
(c) S.I. 1956/434 (1956 II, p. 1842).