STATUTORY INSTRUMENTS

1978 No. 1692

CONSTABULARY, IRELAND

The Royal Irish Constabulary (Lump Sum Payments to Widows) Regulations 1978

Made - - - -	*24th November* 1978
Laid before Parliament	*1st December* 1978
Coming into Operation	*4th December* 1978

In exercise of the powers conferred on me by section 1 of the Royal Irish Constabulary (Widows' Pensions) Act 1954**(a)**, I hereby, with the consent of the Minister for the Civil Service **(b)**, make the following Regulations, which provide for payments corresponding to payments under section 1 of the Pensioners' Payments Act 1977**(c)** as that Act has effect by virtue of section 1(1) of the Pensioners' Payments Act 1978**(d)**:—

1. These Regulations may be cited as the Royal Irish Constabulary (Lump Sum Payments to Widows) Regulations 1978 and shall come into operation on 4th December 1978.

2. In these Regulations any reference to the principal Regulations is a reference to the Royal Irish Constabulary (Widows' Pensions) Regulations 1971**(e)**, as amended **(f)**.

3. These Regulations shall be construed as one with the principal Regulations which shall have effect subject to the provisions of these Regulations.

4.—(1) This Regulation shall apply to a widow who is in receipt of an allowance or pension under either of the following provisions of the principal Regulations, namely under—

(*a*) Regulation 4 (supplementary allowance payable to certain widow pensioners), or

(*b*) Regulation 5 (pension payable to certain widows not otherwise entitled to pension),

where the allowance or pension is payable in respect of a period which includes a day in the week beginning with 4th December 1978 and, in this Regulation, such an allowance or pension is referred to as a "relevant award" and such a period for which it is paid (or, if there is more than one such period, the first of those periods) is referred to as the "relevant period".

(2) Except where a widow to whom this Regulation applies is entitled to a payment by virtue of section 1(1) of the Pensioners' Payments Act 1978, her

(a) 1954 c. 17.
(b) Formerly the Treasury: *see* S.I. 1968/1656.
(c) 1977 c. 51. (d) 1978 c. 58.
(e) S.I. 1971/1469.
(f) The relevant amending instrument is S.I. 1974/1055.

relevant award shall be paid, in respect only of the relevant period, at such rate as will secure that the amount thereof for the relevant period exceeds by £10 the amount for that period which would have been paid had these Regulations not been made.

Merlyn Rees,
One of Her Majesty's Principal Secretaries of State.

23rd November 1978.

Consent of the Minister for the Civil Service given under his Official Seal on 24th November 1978.

(L.S.)

T. A. A. Hart,
Authorised by the Minister for the Civil Service.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations provide for the payment of an additional £10 in the case of a widow in receipt of an allowance or pension under the Royal Irish Constabulary (Widows' Pensions) Regulations 1971 during the week beginning with 4th December 1978 if she is not entitled to a payment by virtue of section 1(1) of the Pensioners' Payments Act 1978.

The Regulations of 1971 provide that there may be paid to certain widows of former members of the Royal Irish Constabulary a pension or an allowance supplementary to an existing pension. A pension or allowance is not payable under the 1971 Regulations unless the rate of any state insurance benefit received by the widow is less than the weekly rate of a widow's pension under the Social Security Act 1975 (c. 14). Subject to a minimum rate of £0·25 a week in the case of a pension, such an award is at such rate as will secure that the combined rate of the Royal Irish Constabulary awards and the widow's state insurance benefit, if any, is equal to the standard weekly rate; for this purpose state insurance benefit means any benefit or pension under the Social Security Act 1975 or similar benefit or pension paid out of public funds in Northern Ireland, any of the Channel Islands, the Isle of Man or the Republic of Ireland.

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