STATUTORY INSTRUMENTS

1974 No. 1535

POLICE

The Special Constables (Pensions) (Amendment) Regulations 1974

Made - - -	*6th September* 1974
Laid before Parliament	*12th September* 1974
Coming into Operation	*21st October* 1974

In exercise of the powers conferred on me by section 34 of the Police Act 1964(**a**) (read with section 1(2) of the Police Pensions Act 1961(**b**)), as amended and extended by sections 12 and 15 of the Superannuation Act 1972(**c**), I hereby make the following Regulations:—

1. These Regulations may be cited as the Special Constables (Pensions) (Amendment) Regulations 1974.

2. These Regulations shall come into operation on 21st October 1974 and shall have effect as from 1st December 1973 except that for the purposes of Regulation 5(1)(*a*) thereof they shall have effect as from 1st April 1974.

3. In these Regulations any reference to the Instrument of 1973 is a reference to the Special Constables (Pensions) Regulations 1973(**d**) and any reference to the old cases Instrument is a reference to the Special Constables (Pensions) Regulations 1971(**e**), as amended (**f**) and in so far as they continue to have effect (**g**).

4.—(1) In the application of the Police Pensions Regulations 1973(**h**) to the calculation of a widow's pension or child's allowance under the Instrument of 1973, those Regulations shall have effect subject to the provisions of Part III of the Police Pensions (Amendment) Regulations 1974(**i**) (which are connected with the Pensions (Increase) Act 1974(**j**) and have effect as from 1st December 1973).

(2) In accordance with paragraph (1) above, for Regulation 3(1) of the Instrument of 1973 (definition of expression "principal Regulations") there shall be substituted the following provision:—

"3.—(1) In these Regulations the expression "the principal Regulations" means the Police Pensions Regulations 1973 as amended by the Police Pensions (Amendment) Regulations 1974.".

(**a**) 1964 c. 48.
(**b**) 1961 c. 35.
(**c**) 1972 c. 11.
(**d**) S.I. 1973/431 (1973 I, p. 1514).
(**e**) S.I. 1971/233 (1971 I, p. 802).
(**f**) The relevant amending instruments are S.I. 1971/1328; 1467 (1971 II, p. 3799; III, p. 4142).
(**g**) *See* S.I. 1973/431 (1973 I, p. 1514).
(**h**) S.I. 1973/428 (1973 I, p. 1401).
(**i**) S.I. 1974/1533 (1974 III, p. 5822).
(**j**) 1974 c. 9.

5.—(1) In the application of the Police Pensions Regulations 1971(**a**) to the calculation of a widow's pension or child's allowance under the old cases Instrument, those Regulations shall have effect subject to—

(*a*) the provisions of Part II of the Police Pensions (Amendment) Regulations 1974 (which revoke provisions for the reduction of a child's allowance and have effect as from 1st April 1974), and

(*b*) the provisions of Part III of the said Regulations of 1974 (which are connected with the Pensions (Increase) Act 1974 and have effect as from 1st December 1973).

(2) In accordance with paragraph (1) above, for Regulation 3(1) of the old cases Instrument (definition of expression "principal Regulations") there shall be substituted the following provision:—

"3.—(1) In these Regulations the expression "the principal Regulations" means the Police Pensions Regulations 1971 as amended by the Police Pensions (Amendment) Regulations 1971(**b**) the Police Pensions (Amendment (No. 2) Regulations 1971(**c**), the Police Pensions (Amendment) (No. 3) Regulations 1971(**d**) and the Police Pensions (Amendment) Regulations 1974.".

Roy Jenkins,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.

6th September 1974.

EXPLANATORY NOTE

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

These Regulations amend the Special Constables (Pensions) Regulations of 1973 (the current Instrument) and those of 1971 (the old cases Instrument) which give to special constables and their dependants certain pension benefits for which members of police forces and their dependants are eligible under, respectively, the Police Pensions Regulations of 1973 and those of 1971.

The Police Pensions (Amendment) Regulations 1974 provide, in Part III, for the increase by reference to the Pensions (Increase) Act 1974 of certain

(**a**) S.I. 1971/232 (1971 I, p. 700).
(**b**) S.I. 1971/583 (1971 I, p. 1573).
(**c**) S.I. 1971/1327 (1971 II, p. 3794).
(**d**) S.I. 1971/1466 (1971 III, p. 4136).

widows' pensions and children's allowances payable under the Police Pensions Regulations 1973 and for any reference in either those Regulations or the Police Pensions Regulations 1971 to the Pensions (Increase) Act 1971 (c.56) to be construed as a reference to that Act as amended by the Act of 1974. The present Regulations provide, in Regulations 4 and 5, that Part III shall have effect in relation to the Police Pensions Regulations of 1973 and those of 1971 as applied, respectively, by the Special Constables (Pensions) Regulations of 1973 and those of 1971.

The Regulations of 1974 also provide, in Part II, for the revocation of certain provisions of the Police Pensions Regulations 1971 relating to the reduction, in certain circumstances, of a child's allowance payable thereunder. The present Regulations provide, in Regulation 5, that Part II shall have effect in relation to the Police Pensions Regulations 1971 as applied by the Special Constables (Pensions) Regulations 1971.

The present Regulations have the like retrospective effect as the Police Pensions (Amendment) Regulations 1974 (this is authorised by sections 12 and 15 of the Superannuation Act 1972).

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