STATUTORY INSTRUMENTS

1977 No. 1948

POLICE

The Special Constables (Pensions) (Lump Sum Payments to Widows) Regulations 1977

Made - - - -	*24th November* 1977
Laid before Parliament	*2nd December* 1977
Coming into Operation	5th *December* 1977

In exercise of the powers conferred on me by section 34 of the Police Act 1964**(a)**, as extended by sections 12 and 15(5) of the Superannuation Act 1972**(b)**, I hereby make the following Regulations, which provide for payments corresponding to payments under section 1(1) of the Pensioners' Payments Act 1977**(c)**:—

1. These Regulations may be cited as the Special Constables (Pensions) (Lump Sum Payments to Widows) Regulations 1977 and shall come into operation on 5th December 1977.

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

3.—(1) These Regulations shall be construed as one with the old cases Instrument which shall have effect as if Regulation 4 of these Regulations were included therein.

(2) Without prejudice to the preceeding paragraph, any reference in these Regulations to the principal Regulations is a reference to the Police Pensions Regulations 1971**(g)**, as amended**(h)**.

4.—(1) This Regulation shall apply to a widow who is in receipt of a pension under the old cases Instrument which is increased as hereinafter mentioned, namely—

(*a*) under Regulation 33 of the principal Regulations as applied by Regulation 5 of the old cases Instrument (discretionary increase in widow's special pension), or

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(a) 1964 c. 48.
(b) 1972 c. 11.
(c) 1977 c. 51.
(d) S.I. 1971/233 (1971 I, p. 802).
(e) The relevant amending instrument is S.I. 1971/1467 (1971 III, p. 4142).
(f) *See* S.I. 1973/431 (1973 I, p. 1514).
(g) S.I. 1971/232 (1971 I, p. 700).
(h) The relevant amending instruments are S.I. 1971/583, 1327, 1466, (1971 I, p. 1573; II, p. 3794; III, p. 4136).

(*b*) under Regulation 35 of the principal Regulations as applied by Regulation 7 of the old cases Instrument (discretionary increase in widow's pension under the provisions of the Special Constables Orders of 1923 or 1945),

where the increase is payable in respect of a period which includes a day in the week beginning with 5th December 1977.

(2) Except where a widow to whom this Regulation applies is entitled to a payment under section 1(1) of the Pensioners' Payments Act 1977, the police authority shall pay her a gratuity of £10.

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

Home Office.
24th November 1977.

EXPLANATORY NOTE

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

The Special Constables (Pensions) Regulations 1971 (which apply in relation to special constables who ceased to hold office before 1st April 1972) give to the widows of special constables certain pension benefits for which the widows of members of police forces are eligible under the Police Pensions Regulations 1971. In particular, they make provision for discretionary increases, in certain circumstances, in special constabulary widows' pensions corresponding to the provision made in that behalf, in the case of police widows, by the last mentioned Regulations.

These Regulations make provision for the payment of a gratuity of £10 in the case of a special constabulary widow in receipt of such a discretionary increase in her special constabulary widow's pension during the week beginning with 5th December 1977 if she is not entitled to a payment under section 1(1) of the Pensioners' Payments Act 1977. This provision corresponds to that made in the case of police widows by the Police Pensions (Lump Sum Payments to Widows) Regulations 1977 (S.I. 1977/1947).

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