
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 268

**POLICE SERVICE OF NORTHERN IRELAND
AND POLICE SERVICE OF NORTHERN IRELAND
RESERVE (INJURY BENEFIT) REGULATIONS 2006**

PART 3

SUPPLEMENTARY PROVISIONS

Gratuity in lieu of adult survivor's special pension

23.—(1) Where on the death of the deceased officer before he attained state pensionable age an adult survivor became entitled to an adult survivor's special pension under regulation 12, the Board may, subject to regulation 25, commute for a gratuity that special pension or so much of it as may be commuted without contravening regulation 25:

Provided that the Board shall not exercise its discretion under this paragraph unless—

- (a) the adult survivor consents, and
- (b) it is satisfied that there are sufficient reasons for so doing.

(2) Where the annual amount of any adult survivor's special pension does not exceed £260, or any greater amount prescribed by regulations for the time being in force under paragraph 15(4) of Schedule 16 to the Social Security Act 1973⁽¹⁾ (other than a pension which does not exceed that amount by reason of the commutation of part thereof under paragraph (1)), the Board may, at its discretion, commute it for a gratuity.

(3) The provisions of regulation 15, relating to the termination of an adult survivor's special award on remarriage or the formation of a civil partnership or cohabitation, shall apply in relation to a gratuity under this regulation as they apply in relation to a gratuity under regulation 12 or 13.

(4) A gratuity under this regulation shall be calculated in accordance with paragraph (6).

(5) Where an adult survivor is entitled to more than one adult survivor's pension, under these Regulations or the 1988 Regulations, in respect of the death of the same person but, in pursuance of regulation 26, is not entitled to receive, in respect of any particular period, payment on account of more than one of those pensions, those adult survivor's pensions shall be treated for the purposes of this regulation as a single adult survivor's pension and, where one of those pensions is an adult survivor's special pension under regulation 12 or 13, that single pension shall be treated for the purposes of paragraph (1) as if it were an adult survivor's special pension.

(6) A gratuity under this regulation shall be of an amount equal to 11 times the annual value of the special pension or, as the case may be, of that part thereof which is commuted or of such greater amount as may be agreed between the Board and the adult survivor not exceeding the capitalised value of the pension or, as the case may be, that part thereof which is commuted, calculated in accordance with tables prepared from time to time for the purpose by the Scheme actuary.

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