
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

Increase of adult survivor's special pension or child's special allowance during first 13 weeks

27.—(1) This regulation applies to an adult survivor's special pension or augmented pension under regulation 12 or 13 and to a child's special allowance under regulation 16 where the person in respect of whose death the award is payable was, immediately before his death—

- (a) serving as a police officer, or
- (b) in receipt of a pension under regulation 10 or Part B of the 1988 Regulations,

and, for the purposes of sub-paragraph (b), the provisions of regulation A7 of the 1988 Regulations shall be disregarded.

(2) An adult survivor's special or augmented pension to which this regulation applies shall, so far as necessary, be increased in respect of the first 13 weeks for which it is payable so as to secure that, in respect of each such week, the aggregate amount of the pension and of any children's special allowances under regulation 16 or children's allowances under Part D of the 1988 Regulations payable in respect of the same person's death is not less than—

- (a) in the case mentioned in paragraph (1)(a), the police officer's relevant emoluments for a week immediately before he died, or
- (b) in the case mentioned in paragraph (1)(b), the weekly amount of his pension together with any increase therein, immediately before he died, under the Pensions (Increase) Acts;

and, for the purposes of sub-paragraph (b)—

- (i) there shall be disregarded any reduction in the police officer's pension in consequence of paragraph 7 of Schedule 3, and
- (ii) where the police officer died while in receipt of both an ordinary, short service or ill-health pension awarded under Part B of the 1988 Regulations and an injury pension under regulation 10, the reference therein to the weekly amount of his pension shall be construed as a reference to the aggregate weekly amount of those pensions.

(3) For the purposes of paragraph (2)(a) a police officer's relevant emoluments for a week are—

- (a) his pensionable pay for the week, and

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(b) so much as is attributable to the week of any allowances to which he was entitled under regulation 37 of and Schedule 4 to the Police Service of Northern Ireland Regulations 2005⁽¹⁾.

(4) Where a child's special allowance to which this regulation applies is payable in respect of the death of a person who did not leave an adult survivor entitled to a special or augmented pension which was payable for a continuous period of 13 weeks the special allowance shall, so far as necessary, be increased in respect of the first 13 weeks for which it is payable so as to secure that, in respect of each such week, it is not less than the amount specified in paragraph (2)(a) or (b) except that, where two or more such special allowances are payable in respect of the death of the same person, each allowance shall be so increased that it is of that amount divided by the number of such allowances: Provided that where an adult survivor's special or augmented pension is payable in respect of any such week, a child's special allowance in respect of the death of the same person shall not be so increased in respect of that week.

⁽¹⁾ S.R. 2005 No. 547