

**1979 No. 783 (S.74)**
**POLICE**
**The Police Cadets (Pensions) (Scotland) Amendment**
**Regulations 1979**

<i>Made - - - -</i>	<i>2nd July 1979</i>
<i>Laid before Parliament</i>	<i>16th July 1979</i>
<i>Coming into Operation</i>	<i>7th August 1979</i>

In exercise of the powers conferred on me by section 27 of the Police (Scotland) Act 1967(a), and of all other powers enabling me in that behalf and after consultation with the Police Council for the United Kingdom in accordance with section 4(5) of the Police Act 1969(b), I hereby make the following regulations:—

1. These regulations may be cited as the Police Cadets (Pensions) (Scotland) Amendment Regulations 1979.
2. These regulations shall come into operation on 7th August 1979 and shall have effect—
  - (a) for the purposes of paragraph (a) of regulation 3 of these regulations, as from 24th January 1975,
  - (b) for the purposes of paragraph (b) of that regulation, from 1st April 1975,
  - (c) for the purposes of paragraph (c) of that regulation, as from 1st December 1975,
  - (d) for the purposes of paragraph (d) of that regulation, as from 6th April 1978.
3. The Police Cadets (Pensions) (Scotland) Regulations 1973(c) shall have effect—
  - (a) from 24th January 1975 subject to the amendments specified in Part I of the schedule to these regulations;
  - (b) from 1st April 1975 subject to the amendments specified in Part II of that schedule;
  - (c) from 1st December 1975 subject to the amendments specified in Part III of that schedule;

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(a) 1967 c. 77; section 27 was extended by section 13 of the Superannuation (Miscellaneous Provisions) Act 1967 (c. 28) and sections 12 and 15(5) of the Superannuation Act 1972 (c. 11).

(b) 1969 c. 63.

(c) S.I. 1973/434, amended by S.I. 1974/1629.

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(d) from 6th April 1978 subject to the amendments specified in Part IV of that schedule.

New St. Andrew's House,  
Edinburgh.  
2nd July 1979.

*George Younger,*  
One of Her Majesty's Principal  
Secretaries of State.

## Regulation 3

## SCHEDULE

## PART I

## AMENDMENTS TAKING EFFECT FROM 24TH JANUARY 1975

1. For paragraph (1) of regulation 3 there shall be substituted the following paragraph—

“3.—(1) In these regulations the expression “the principal regulations” means the Police Pensions Regulations 1973(a) as amended by the Police Pensions (Amendment) Regulations 1974(b) and Part II of the Police Pensions (Amendment) Regulations 1976(c).”.

2. In paragraph (2) of that regulation, after the figure “10” there shall be inserted the figure “11A”.

3. In regulation 5(3)(a) there shall be omitted the word “completed”.

## PART II

## AMENDMENTS TAKING EFFECT FROM 1ST APRIL 1975

1. For paragraph (1) of regulation 3, (as amended by Part I of this schedule) there shall be substituted the following paragraph—

“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 and the Police Pensions (Amendment) Regulations 1976.”.

## PART III

## AMENDMENTS TAKING EFFECT FROM 1ST DECEMBER 1975

1. For paragraph (1) of regulation 3, (as amended by Part II of this schedule) there shall be substituted the following paragraph—

“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, the Police Pensions (Amendment) Regulations 1975(d) and the Police Pensions (Amendment) Regulations 1976.”.

## PART IV

## AMENDMENTS TAKING EFFECT FROM 6TH APRIL 1978

1. For paragraph (1) of regulation 3, (as amended by Part III of this schedule) there shall be substituted the following paragraph—

“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, the Police Pensions (Amendment) Regulations 1975, the Police Pensions (Amendment) Regulations 1976 and the Police Pensions (Amendment) (No. 2) Regulations 1978(e).”.

2. In regulation 6 there shall be inserted after paragraph (2) the following paragraphs—

“(3) regulation 31 of the principal regulations, as so applied, shall have effect as if the words “before he has attained insured pensionable age” were omitted therefrom.

“(4) regulation 34 of the principal regulations, as so applied, shall have effect as if paragraph (3) were omitted therefrom.”.

(a) S.I. 1973/428.  
(c) S.I. 1976/306.

(b) S.I. 1974/1533.  
(d) S.I. 1975/1718.  
(e) S.I. 1978/1348.

## EXPLANATORY NOTE

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

The Regulations amend the Police Cadets (Pensions) (Scotland) Regulations 1973 ("the 1973 Regulations") which make police cadets and their dependants eligible for injury benefits available to members of police forces and their dependants under the Police Pensions Regulations 1973 ("the principal Regulations").

The benefits made available by the Regulations are as follows:—

(1) Part I of the Schedule to the Regulations attracts to the 1973 Regulations amendments made by the Police Pensions (Amendment) Regulations 1976. The amendments have effect from 24th January 1975 and enable awards to be calculated in years and days of reckonable service instead of completed years only.

(2) Part II of the Schedule to the Regulations attracts to the 1973 Regulations an amendment to the principal Regulations made by Part III of the Police Pensions (Amendment) Regulations 1976. The amendment has effect from 1st April 1975 and has the effect of amending provisions which relate to commutation which are not applicable to cadets.

(3) Part III of the Schedule to the Regulations attracts to the 1973 Regulations an amendment to the principal Regulations made by the Police Pensions (Amendment) Regulations 1975. The amendment has effect from 1st December 1975 and enables the payment of sums not exceeding £1,500 to be made to estates without confirmation.

(4) Part IV of the Schedule to the Regulations attracts to the 1973 Regulations amendments to the principal Regulations made by the Police Pensions (Amendment) (No. 2) Regulations 1978. The amendments have effect from 6th April 1978 and meet the requirements for contracting-out of the State scheme with effect from that date. As cadets are not contracted-out, the reference to insured pensionable age in Regulation 31 of the principal Regulations (which deals with the payment of a gratuity in lieu of pension) and the provision for payment of a widow's requisite benefit pension in Regulation 34 of the principal Regulations (which deals with awards to a widow living apart from her husband) require to be excluded in their application to cadets.

Retrospective effect for the Regulations is authorised by sections 12 and 15 of the Superannuation Act 1972.

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