

## SCHEDULE D

### Children's Awards

#### Regulation D5

### Part IV

#### Reduction in Child's Allowance During Full-Time Remunerated Training Etc.

1.—(1) In this Part—

“relevant child” means, subject to sub-paragraph (2), a child entitled to an allowance who is—

- (a) in full-time training for a trade, profession or calling, and
- (b) in receipt of remuneration in respect of that training at an annual rate in excess of the specified rate;

“specified rate” means the annual rate (rounded up to the nearest £1) at which an official pension within the meaning of the Pensions (Increase) Act 1971<sup>(1)</sup> would be payable when increased under that Act if, within the meaning thereof, the basic rate of the pension were £250, it began on 1st June 1972 and the pensioner satisfied the qualifying conditions and if the pension fell to be paid in respect of periods for which the relevant child's remuneration falls to be paid;

“excess remuneration” means the annual amount by which the annual rate of the relevant child's remuneration exceeds the specified rate;

“relevant provision” means paragraph 1(3) or 2(3) of Part I of this Schedule (including those provisions as applied by Part III thereof) or paragraph 1(3) or 2(3) of Part II thereof.

(2) A child shall not be a relevant child for the purposes of this Part—

- (a) if he is entitled to an allowance in respect of the death of a member of a police force who ceased to be such before 15th August 1983, unless and until he has attained the age of 19 years;
- (b) if and so long as his allowance falls to be increased in accordance with Regulation E8 (increase during first 13 weeks).

2. In the case of any relevant child—

- (a) if the annual amount of the allowance is greater than the amount of his excess remuneration, it shall be reduced by the amount of that excess remuneration, or
- (b) if the amount of that excess remuneration is equal to or greater than the annual amount of the allowance which, but for this sub-paragraph, would be payable to him, the allowance shall not be payable.

3.—(1) Where as well as any relevant child there are other children to whom allowances are payable in respect of the death of the same person and any of the relevant provisions apply, the allowances payable to those other children (“the other allowances”) shall be increased as hereinafter provided.

(2) If paragraph 2(a) applies in the case of any relevant child, then, without prejudice to sub-paragraph (3), the annual amount of each of the other allowances shall be increased by an amount equal to his excess remuneration divided by the number of other allowances.

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(1) 1971 c. 56.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) If paragraph 2(b) applies in the case of any relevant child, then, without prejudice to sub-paragraph (2), each of the other allowances shall be recalculated as if the relevant child were not entitled to an allowance.

(4) Notwithstanding the provisions of sub-paragraphs (2) and (3), no child shall by virtue of those provisions receive an allowance greater than that to which he would be entitled if no relevant provision applied in his case.