

1972 No. 1847 (S.143)

## POLICE

**The Special Constables (Pensions) (Scotland) (Lump Sum  
Payments to Widows Etc.) Regulations 1972**

<i>Made</i>	- - -	<i>1st December 1972</i>
<i>Laid before Parliament</i>		<i>1st December 1972</i>
<i>Coming into Operation</i>		<i>4th December 1972</i>

In exercise of the powers conferred on me by section 26 of the Police (Scotland) Act 1967(a) (read with section 1(2) of the Police Pensions Act 1961(b)) as extended by sections 12 and 15(5) of the Superannuation Act 1972(c), and of all other powers enabling me in that behalf, and after consultation with the Joint Central Committee and such bodies and associations as are mentioned in section 26(9)(b) of the said Act of 1967, I hereby make the following regulations:—

**1.**—(1) These regulations may be cited as the Special Constables (Pensions) (Scotland) (Lump Sum Payments to Widows Etc.) Regulations 1972.

(2) These regulations shall come into operation on 4th December 1972 and shall have effect as from that date except that for the purposes of regulation 5 thereof they shall have effect as from 1st December 1972.

**2.** In these regulations any reference to the Instrument of 1971 is a reference to the Special Constables (Pensions) (Scotland) Regulations 1971(d), as amended(e).

**3.**—(1) These regulations shall be construed as one with the Instrument of 1971 which shall have effect as if regulation 4 of these regulations were included therein.

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

**4.**—(1) This regulation shall apply to a widow who has attained the age of 60 years on or before 10th December 1972 and is in receipt of a pension under the Instrument of 1971 which is increased as hereinafter mentioned, namely—

(a) under regulation 33 of the principal regulations as applied by regulation 5 of the Instrument of 1971 (discretionary increase in widow's special pension), or

(b) under regulation 35 of the principal regulations as applied by regulation 7 of the Instrument of 1971 (discretionary increase in widow's pension under the provisions of 1923 or 1945),

where the increase is payable in respect of a period which includes a day in the week beginning with 4th December 1972.

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(a) 1967 c. 77. (b) 1961 c. 35. (c) 1972 c. 11. (d) S.I. 1971/234 (1971 I, p. 814).

(e) The relevant amending instrument is S.I. 1971/1501 (1971 III, p. 4200).

(f) S.I. 1971/232 (1971 I, p. 700).

(g) S.I. 1971/583, 1327, 1466, 1972/1642 (1971 I, p. 1573; II, p. 3794; III, p. 4136; 1972 III, p. 4829).

(2) Except where a widow to whom this regulation applies is entitled to a payment under section 1(1) of the Pensioners and Family Income Supplement Payments Act 1972(a), the police authority shall pay her a gratuity of £10.

5.—(1) In the application of the principal regulations to the calculation of an award to the widow or child of a special constable under the Instrument of 1971, those regulations shall apply as amended by the Police Pensions (Amendment) Regulations 1972(b) (which amendments relate to increases in widows' and children's awards).

(2) In accordance with paragraph (1) of this regulation, for regulation 3(1) of the Instrument of 1971 (which defines the expression "principal regulations") there shall be substituted the following provision:—

"(1) In these regulations the expression "the principal regulations" means the Police Pensions Regulations 1971 as amended by the Police Pensions (Amendment) Regulations 1971(c), the Police Pensions (Amendment) (No. 2) Regulations 1971(d), the Police Pensions (Amendment) (No. 3) Regulations 1971(e) and the Police Pensions (Amendment) Regulations 1972."

*Gordon Campbell,*  
One of Her Majesty's Principal  
Secretaries of State.

St. Andrew's House,  
Edinburgh.  
1st December 1972.

#### EXPLANATORY NOTE

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

The Special Constables (Pensions) (Scotland) Regulations 1971 give to special constables and their dependants certain pension benefits for which members of police forces and their dependants are eligible under the Police Pensions Regulations 1971.

Regulation 4 of these Regulations makes provision for the payment of a gratuity of £10 to certain special constabulary widows who have attained the age of 60 years on or before 10th December 1972 corresponding to the provision made in the case of police widows by the Police Pensions (Lump Sum Payments to Widows) Regulations 1972 (S.I. 1972/1844).

Regulation 5 of these Regulations makes provision for the increase of special constabulary widows' and children's awards corresponding to the provision made in the case of police widows and children by the Police Pensions (Amendment) Regulations 1972. In pursuance of Sections 12 and 15 of the Superannuation Act 1972, Regulation 5 has retrospective effect as from 1st December 1972 (the date from which the increases authorised by the Pensions Increase (Annual Review) Order 1972 (S.I. 1972/1298) are payable).

(a) 1972 c. 75.

(c) S.I. 1971/583 (1971 I, p. 1573).

(e) S.I. 1971/1466 (1971 III, p. 4136).

(b) S. I. 1972/1642 (1972 III, p. 4829).

(d) S.I. 1971/1327 (1971 II, p. 3794).



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