

1974 No. 1533

**POLICE****The Police Pensions (Amendment) Regulations 1974***Made* - - - - 6th September 1974*Laid before Parliament* 12th September 1974*Coming into Operation* 21st October 1974

In exercise of the powers conferred on me by section 1 of the Police Pensions Act 1948(a), as extended and amended by section 43 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(b), section 5(3) of the Overseas Service Act 1958(c) and Schedule 2 thereto, section 1(1) of the Police Pensions Act 1961(d), sections 40, 43(4), 45(4) and 63 of the Police Act 1964(e) and Schedules 6 and 9 thereto, sections 35 and 38(4) of the Police (Scotland) Act 1967(f), section 4(5) of the Police Act 1969(g) and sections 12, 15 and 29(1) of the Superannuation Act 1972(h) and Schedule 6 thereto, and after consultation with the Police Council for the United Kingdom, I hereby, with the consent of the Minister for the Civil Service (i), make the following Regulations:—

**PART I****CITATION, OPERATION ETC.**

1. These Regulations may be cited as the Police Pensions (Amendment) Regulations 1974.
2. These Regulations shall come into operation on 21st October 1974 and shall have effect—
  - (a) for the purposes of Part II thereof, as from 1st April 1974;
  - (b) for the purposes of Part III thereof, as from 1st December 1973.
3. In these Regulations references to the principal Regulations are references to the Police Pensions Regulations 1973(j), as amended (k), and references to the old cases Regulations are references to the Police Pensions Regulations 1971(l), as amended (m) and in so far as they continue to have effect (n).

(a) 1948 c. 24.

(c) 1958 c. 14.

(e) 1964 c. 48.

(g) 1969 c. 63.

(i) Formerly the Treasury; see S.I. 1968/1656 (1968 III, p. 4485).

(j) S.I. 1973/428 (1973 I, p. 1401).

(k) The amending instrument is not relevant to the subject matter of these Regulations.

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

(m) The amending instruments are not relevant to the subject matter of these Regulations.

(n) See S.I. 1973/428 (1973 I, p. 1401).

(b) 1951 c. 65.

(d) 1961 c. 35.

(f) 1967 c. 77.

(h) 1972 c. 11.

## PART II

## PROVISIONS HAVING EFFECT AS FROM 1ST APRIL 1974

4. In the following provisions of the old cases Regulations, namely—  
 Regulation 41(3) (child's ordinary allowance),  
 Regulation 42(2) (child's special allowance), and  
 Regulation 44 (discretionary increase in child's ordinary or special allowance),  
 the words "subject however to Part IV of that Schedule", in each place where they occur, shall be omitted.
5. In the following provisions of the old cases Regulations, namely—  
 paragraphs 1 and 2 of Part I of Schedule 4 (child's ordinary allowance), and  
 paragraphs 1 and 2 of Part II of Schedule 4 (child's special allowance),  
 for the words "Parts III and IV", in each place where they occur, there shall be substituted the words "Part III".
6. In Part III of Schedule 4 (discretionary increase in child's allowance) there shall be omitted—  
 (a) from paragraph 1(1)(a), the words "and of Part IV of this Schedule",  
 (b) from paragraph 1(1)(b), the words "and to Part IV of this Schedule",  
 (c) from paragraph 1(4), the words "but subject to Part IV of this Schedule", and  
 (d) from paragraph 2(1), the words "subject to Part IV of this Schedule".
7. Part IV of Schedule 4 to the old cases Regulations (reduction of child's allowance) is hereby revoked.

## PART III

## PROVISIONS HAVING EFFECT AS FROM 1ST DECEMBER 1973

- 8.—(1) In Regulation 107 of the principal Regulations (increase by reference to Pensions (Increase) Act 1971(a)) after the words "section 2 of that Act" there shall be inserted the words "or in consequence of the Pensions (Increase) Act 1974".
- (2) In sub-paragraphs (b) and (c) of the said Regulation 107 for the words "that Act", in both places where they occur, there shall be substituted the words "the said Act of 1971".
- (3) In sub-paragraph (b) of the said Regulation 107 the word "and" shall be omitted and at the end of the said Regulation there shall be added the following provision:—  
 "and  
 (d) the notional pension were a pension to which section 1(2)(b) of the said Act of 1974 applied."
9. Any reference in either the principal Regulations or the old cases Regulations to the Pensions (Increase) Act 1971 shall be construed as a reference to that Act as amended by the Pensions (Increase) Act 1974(b).

(a) 1971 c. 56.

(b) 1974 c. 9.

*Roy Jenkins,*  
One of Her Majesty's Principal  
Secretaries of State.

5th September 1974.

Consent of the Minister for the Civil Service given under his Official Seal  
on 6th September 1974.

(L.S.)

*K. H. McNeill,*  
Authorised by the Minister  
for the Civil Service.

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#### EXPLANATORY NOTE

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

A child's allowance payable under the Police Pensions Regulations 1971 (the old cases Regulations) falls to be reduced in accordance with Part IV of Schedule 4 to those Regulations in the circumstances there mentioned where certain national insurance benefits are also payable or a family allowance is payable in respect of the child. Part II of the present Regulations provides that no such reduction shall be made; it has effect as from 1st April 1974.

Both the Regulations of 1971 and the Police Pensions Regulations 1973 (the current Regulations) contain provisions for the increase of widows' pensions and children's allowances by reference to the Pensions (Increase) Act 1971. In the case of the Regulations of 1973, Part III of the present Regulations provides, similarly, for the increase of the above mentioned awards by reference to the Pensions (Increase) Act 1974 (Regulation 8). In the case of both the Regulations of 1973 and those of 1971, Part III also provides that any reference to the Act of 1971 shall be construed as a reference to that Act as amended by the Act of 1974 (Regulation 9). Part III has effect as from 1st December 1973, the date from which increases authorised by the Act of 1974 are payable.

Retrospective effect (Regulation 2) is authorised by sections 12 and 15 of the Superannuation Act 1972.

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