
STATUTORY INSTRUMENTS

1976 No. 444

PENSIONS**The Social Security (Modification of Police Pensions Act 1948)
Order 1976**

<i>Made - - - -</i>	18th March 1976
<i>Laid before Parliament</i>	26th March 1976
<i>Coming into Operation</i>	1st May 1976

Whereas the Minister for the Civil Service has, under section 65(1) of the Social Security Act 1973(a), designated the Secretary of State as the Minister of the Crown having responsibility for the pension scheme comprised in the Police Pensions Act 1948(b) and regulations made thereunder:

Now, therefore, in exercise of the powers conferred on me by sections 65 and 96 of the said Act of 1973, I hereby make the following Order:—

1. This Order may be cited as the Social Security (Modification of Police Pensions Act 1948) Order 1976 and shall come into operation on 1st May 1976.

2. Any reference in this Order to the principal Act is a reference to the Police Pensions Act 1948 as amended and extended by any subsequent enactment.

3. After section 1(3) of the principal Act (forfeiture etc.) there shall be inserted the following subsection:—

“(3A) Without prejudice to the generality of subsection (3) of this section, the provision which may be made by regulations under this section with respect to forfeiture shall include provision by reference not only to the fact that a person to whom a pension has been awarded has committed and been convicted of an offence as specified in the regulations but also to the fact that the offence in question has been certified by a Minister of the Crown either to have been gravely injurious to the State or to be liable to lead to serious loss of confidence in the public service.”.

(a) 1973 c. 38.

(b) 1948 c. 24.

4. In section 7(1) of the principal Act (assignment etc.) for the words "the family" there shall be substituted the words "a dependant".

Roy Jenkins,

One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.
18th March 1976.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order modifies the Police Pensions Act 1948, first, so as to authorise the inclusion in the Police Pensions Regulations of provisions in conformity with certain requirements of Schedule 16 to the Social Security Act 1973 relating to the preservation of benefit under occupational pension schemes and provisions incidental and supplementary thereto (Article 3). The relevant requirements are those of paragraph 16 of Schedule 16 (which, in general, requires that short service benefit be not liable to forfeiture but permits, in certain cases, of forfeiture on account of conviction of an offence of treason or under the Official Secrets Acts 1911 to 1939 or of an offence certified by a Minister of the Crown to have been gravely injurious to the State or to be liable to lead to serious loss of confidence in the public service).

The Order, secondly, modifies the provisions of the Act of 1948 restricting the assignment of awards so as to bring them into conformity with the requirements in that behalf of paragraph 15 of Schedule 16 to the Social Security Act 1973 (Article 4).

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