

1987 No. 1699 (S.121)

POLICE

**The Police Cadets (Pensions) (Scotland) Amendment
Regulations 1987**

Made - - - - - *18th September 1987*

Laid before Parliament *5th October 1987*

Coming into force *28th October 1987*

The Secretary of State, in exercise of the powers conferred on him by section 27 of the Police (Scotland) Act 1967(a), as extended by section 13 of the Superannuation (Miscellaneous Provisions) Act 1967(b) and sections 12 and 15(5)(d) of the Superannuation Act 1972(c), and of all other powers enabling him in that behalf, and after consultation with the Police Negotiating Board for the United Kingdom in accordance with section 2(3) of the Police Negotiating Board Act 1980(d), hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Police Cadets (Pensions) (Scotland) Amendment Regulations 1987.

(2) These Regulations shall come into force on 28th October 1987 and shall have effect as from 25th November 1982.

Amendment of principal Regulations

2. In the Police Cadets (Pensions) (Scotland) Regulations 1973(e), after regulation 7 there shall be inserted the following regulation:—

“Dependent relative’s special pension

7A.—(1) This regulation shall apply where a police cadet dies or has died as the result of an injury received without his own default and in the execution of his duty as a police cadet and, in such case, shall apply—

(a) to a parent or (without prejudice to the following sub-paragraph) to a brother or sister of the police cadet who had attained the age of 19 years before the police cadet’s death, or

(b) subject to his having attained the age of 19 years, to any child of the police cadet, whether or not he had attained that age before the police cadet’s death,

being a person who was substantially dependent on the police cadet immediately before his death (hereinafter referred to in this regulation as a dependent relative).

(a) 1967 c.77; section 27(3) was amended by section 4(8) of the Police Act 1969 (c.63), and by section 111(2) of the Police and Criminal Evidence Act 1984 (c.60).

(b) 1967 c.28; section 13 was amended by the Police (Scotland) Act 1967, Schedule 4, by the Social Security Act 1973 (c.38), Schedule 27, paragraph 72, and by the Social Security (Consequential Provisions) Act 1975 (c.18), Schedule 1, Part I.

(c) 1972 c.11.

(d) 1980 c.10.

(e) S.I. 1973/434, to which there are amendments not relevant to these Regulations.

(2) A dependent relative to whom this regulation applies may be granted a special pension if the police authority, having regard to all the circumstances of the case, in their discretion so determine, and regulations 36(3) and Part XIII of the principal Regulations(a), or, as the case may be, regulations E1(3) and E9 of the Police Pensions Regulations 1987(b), shall apply subject to the necessary modifications as if the police cadet had been a regular policeman at the time when he received the injury.”.

New St. Andrew's House, Edinburgh
18th September 1987

Michael B. Forsyth
Parliamentary Under Secretary of State,
Scottish Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Cadets (Pensions) (Scotland) Regulations 1973 with effect from 25th November 1982 (retrospection is authorised by sections 12 and 15 of the Superannuation Act 1972). They provide for the payment, at the discretion of the police authority, of a dependent relative's special pension in cases of death resulting from an injury received by a police cadet in the execution of his duty, similar to that payable in the case of a regular policeman under the Police Pensions Regulations 1973 or, after 1st April 1987, the Police Pensions Regulations 1987.

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- (a) The Police Pensions Regulations 1973 (S.I. 1973/428), to which there are amendments not relevant to these Regulations, revoked at 1st April 1987 by S.I. 1987/256.
(b) S.I. 1987/257, brought into force at 1st April 1987 by S.I. 1987/256.

45p net

ISBN 0 11 077699 2