

SCHEDULE C

Widows' Awards

Regulation C1

Part I

Widow's Ordinary Pension

1.—(1) Subject to paragraphs 2 and 3, the annual amount of a widow's ordinary pension shall be whichever is the greater of the two following amounts, namely—

- (a) an amount equal to a half of the pension or notional pension mentioned in sub-paragraph (2), and
 - (b) an amount equal to her husband's average pensionable pay divided by 160 and multiplied by the period in years of so much of his pensionable service as is reckonable by reason of service or employment after 5th April 1978.
- (2) The pension or notional pension referred to in sub-paragraph (1)(a) is—
- (a) where the husband died while entitled to an ordinary, short service or ill-health pension, that pension;
 - (b) where, having retired with both an ill-health and an injury pension, he died while no longer entitled to the ill-health pension but while entitled to the injury pension, the ill-health pension to which he would have been entitled had he not ceased to be entitled thereto;
 - (c) where, having retired with an ill-health gratuity, he died as a result of the same injury as resulted in his disablement, the ill-health pension to which he would have been entitled had he retired in circumstances entitling him to such a pension, or
 - (d) where he died while serving as a regular policeman, the ill-health pension to which he would have been entitled had he retired immediately before he died in circumstances entitling him to such a pension,

calculated, in each case, in accordance with sub-paragraph (3).

(3) For the purposes of sub-paragraph (1)(a), the pension or notional pension referred to in sub-paragraph (2)(a), (b), (c) or (d) shall be calculated without regard to—

- (a) the restrictions on payments on account of an ordinary pension contained in Regulation B1(5);
- (b) the provisions for the reduction of a pension contained in Regulation B7(7) and (8)(b) (commutation), in Regulation B9(7) (allocation) and in Parts VII and VIII of Schedule B (reductions at state pensionable age and related to up-rating of widow's pension).

Where the husband died before 1st April 1987, any reference in this sub-paragraph to a provision of these Regulations shall be construed as including a reference to the corresponding provision of the former Regulations.

2. The amount of a widow's ordinary pension calculated in accordance with paragraph 1 shall be increased in accordance with Regulation E9 (*increase by reference to the Pensions (Increase) Acts*).

3. Where in respect of any period a widow so elects, the weekly amount of her ordinary pension in respect of that period shall not be calculated as aforesaid but shall be determined by reference to the rank held by her husband in accordance with Regulation E10 (*flat-rate award*).

4. This Part has effect subject to paragraphs 2 to 5 of Part II of Schedule J.