

1988 No. 1937

CONSTABULARY, IRELAND

The Royal Irish Constabulary (Lump Sum Payments to Widows) Regulations 1988

<i>Made</i>	- - - -	<i>31st October 1988</i>
<i>Laid before Parliament</i>		<i>14th November 1988</i>
<i>Coming into force</i>		<i>5th December 1988</i>

In exercise of the powers conferred upon me by section 1 of the Royal Irish Constabulary (Widows' Pensions) Act 1954(a), I hereby, with the consent of the Treasury(b), make the following Regulations, which provide for payments corresponding to payments under section 66 of and Schedule 6 to the Social Security Act 1986(c):

1. These Regulations may be cited as the Royal Irish Constabulary (Lump Sum Payments to Widows) Regulations 1988 and shall come into force on 5th December 1988.

2. In these Regulations—

any reference to the principal Regulations is a reference to the Royal Irish Constabulary (Widows' Pensions) Regulations 1971(d);

“the relevant week”, in relation to any year, means the week beginning with the first Monday in December or such other week as may be specified in an order made by the Secretary of State under paragraph 1(3) of Schedule 6 to the Social Security Act 1986 for the purposes of that Schedule.

3. These Regulations shall be construed as one with the principal Regulations which shall have effect subject to the provisions of these Regulations.

4.—(1) This regulation shall apply to a widow who is in receipt of an allowance or pension under either of the following provisions of the principal Regulations, namely under—

(a) regulation 4 (supplementary allowance payable to certain widow pensioners), or

(b) regulation 5 (pension payable to certain widows not otherwise entitled to pension),

where the allowance or pension is payable in respect of a period which includes a day in the relevant week and, in this regulation, such an allowance or pension is referred to as a “relevant award”.

(2) Except where a widow to whom this regulation applies is entitled to a payment by virtue of section 66 of and Schedule 6 to the Social Security Act 1986, her relevant award shall be paid, in respect of the year in which the relevant week falls, at such rate as will secure that the amount thereof for that year exceeds by £10 (or such larger sum as may be specified in an order made by the Secretary of State under paragraph 2(3)(b) of Schedule 6 to the Social Security Act 1986 for the purposes of that Schedule) the amount for that year which would have been paid had these Regulations not been made.

---

(a) 1954 c. 17.

(b) Formerly the Minister for the Civil Service: see S.I. 1981/1670.

(c) 1986 c. 50.

(d) S.I. 1971/1469; the relevant amending instrument is S.I. 1974/1055.

Home Office  
21st October 1988

*Douglas Hurd*  
One of Her Majesty's Principal Secretaries of State

We consent,

31st October 1988

*David Lightbown*  
*David MacLean*  
Two of the Lords Commissioners of Her Majesty's Treasury

---

#### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations provide for the payment of an additional £10 in the case of a widow in receipt of an allowance or pension under the Royal Irish Constabulary (Widows' Pensions) Regulations 1971 equivalent to the Christmas bonus for pensioners payable under Schedule 6 to the Social Security Act 1986 if she is not entitled to a payment by virtue of that Schedule.

The Regulations of 1971 provide that there may be paid to certain widows of former members of the Royal Irish Constabulary a pension or an allowance supplementary to an existing pension. A pension or allowance is not payable under the 1971 Regulations unless the rate of any state insurance benefit received by the widow is less than the weekly rate of a widows' pension under the Social Security Act 1975 (c. 14). Subject to a minimum rate of £0.25 a week in the case of a pension, such an award is at such rate as will secure that the combined rate of the Royal Irish Constabulary awards and the widow's state insurance benefit, if any, is equal to the standard weekly rate; for this purpose state insurance benefit means any benefit or pension under the Social Security Act 1975 or similar benefit or pension paid out of public funds in Northern Ireland, any of the Channel Islands, the Isle of Man or the Republic of Ireland.

45p net

ISBN 0 11 087937 6