1978 No. 358

POLICE

Royal Ulster Constabulary Pensions (Lump Sum Payments to Widows) Regulations 1978

Made . . . . . 30*th November* 1978

Coming into operation . . . 4*th December* 1978

To be laid before Parliament

The Secretary of State, in pursuance of section 25 of the Police Act (Northern Ireland) 1970(**a**), and after consulting, in accordance with section 34(2) of the said Act of 1970, the Police Authority for Northern Ireland and the Police Association for Northern Ireland and, in accordance with section 4 of the Police Act 1969(**b**), the Police Council for the United Kingdom, hereby, with the concurrence of the Minister for the Civil Service, makes the following regulations, which provide for payments corresponding to payments under section 1 of the Pensioners' Payments Act 1977(**c**) as that Act has effect by virtue of section 1(1) of the Pensioners' Payments Act 1978(**d**):

Citation and commencement

1. These regulations may be cited as the Royal Ulster Constabulary Pensions (Lump Sum Payments to Widows) Regulations 1978 and shall come into operation on 4th December 1978.

Interpretation

2. In these regulations any reference to a paragraph is a reference to a paragraph of the Schedule to the Royal Ulster Constabulary Pensions Order 1949(**e**).

Entitlement to gratuity

3.—(1) This regulation shall apply to a widow who is in receipt of a pension increased under any of the following provisions of the said Schedule, namely—

(*a*) paragraph 12 (discretionary increase in widow's ordinary pension);

(*b*) paragraph 13B (discretionary increase in widow's special pension); or

(*c*) paragraph 17(3) (discretionary increase in awards to widows whose husbands died before 5th July 1948),

where the increase is payable in respect of a period which includes a day in the week beginning with 4th December 1978.

(**a**) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 (1973 III, p. 7541)
(**b**) 1969 c. 63
(**c**) 1977 c. 51
(**d**) 1978 c. 58
(**e**) S.R. & O. (N.I.) 1949 No. 211 (p. 379) as amended in particular by S.R. & O. (N.I.) 1964, No. 158 (p. 787)

(2) Except where a widow to whom this regulation applies is entitled to a payment by virtue of section 1(1) of the Pensioners' Payments Act 1978, or the Royal Irish Constabulary (Lump Sum Payments to Widows) Regulations 1978(f), the Police Authority for Northern Ireland shall pay her a gratuity of £10.

(3) For the purposes of paragraph 30 (prevention of duplication), a gratuity under this regulation shall be ignored.

Roy Mason
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
30th November 1978

The concurrence of the Minister for the Civil Service given under his Official Seal on 30th November 1978.

(L.S.)

T. A. A. Hart
Authorised by the Minister for the Civil Service

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

The Royal Ulster Constabulary Pensions Order 1949 (which applies in relation to policemen who ceased to serve in that force before 1st April 1972) provides for discretionary increases in police widows' pensions where the widow would have been entitled to widow's benefit or a retirement pension under the Social Security (Northern Ireland) Acts 1975 to 1977 had her husband satisfied the contribution conditions therefor or where he died before 5th July 1948 (when the National Insurance Act (Northern Ireland) 1946 came into operation).

These regulations provide for the payment of a gratuity of £10 in the case of a policeman's widow in receipt of such a discretionary increase in her police widow's pension during the week beginning with 4th December 1978 if she is not entitled to a payment under section 1(1) of the Pensioners' Payments Act 1978 or the Royal Irish Constabulary (Lump Sum Payments to Widows) Regulations 1978.

(f) S.I. 1978/1692