1985 No. 255

ULSTER SPECIAL CONSTABULARY

PENSIONS

Ulster Special Constabulary Pensions (Lump Sum Payments to Widows) Regulations 1985

Made . . . . . *2nd September 1985*

Coming into operation . . . *2nd December 1985*

The Secretary of State, in pursuance of section 1 of the Special Constables Act 1914(**a**) (as extended and amended by section 8 of the Constabulary Act (Northern Ireland 1922(**b**)), and section 4(4) of the Constabulary (Pensions) Act (Northern Ireland 1949(**c**), read with section 33(2) of the Police Act (Northern Ireland) 1970(**d**), hereby makes the following regulations, which provide for payments corresponding to payments under section 1 of the Pensioners' Payments and Social Security Act 1979(**e**) as that Act has effect by virtue of the Pensioners' Lump Sum Payments Order 1985(**f**):—

Citation and commencement

1. These regulations may be cited as the Ulster Special Constabulary Pensions (Lump Sum Payments to Widows) Regulations 1985 and shall come into operation on 2nd December 1985.

Interpretation

2.—(1) These regulations shall be construed as one with the Ulster Special Constabulary Pensions Regulations 1950(**g**) which shall have effect as if regulation 3 were included therein.

(2) In these regulations any reference to a regulation is a reference to a regulation of the said regulations of 1950.

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 Ulster Special Constabulary Pensions Regulations 1950, namely—

(*a*) regulation 15 (discretionary increase in widow's ordinary pension);

(*b*) regulation 17 (discretionary increase in widow's special pension); or

(*c*) regulation 21(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 2nd December 1985.

(2) Except where a widow to whom this regulation applies is entitled to a payment by virtue of the Pensioners' Lump Sum Payments Order 1985 the Police Authority for Northern Ireland shall pay her a gratuity of £10.

(**a**) 4 and 5 Geo. 5 c. 61
(**b**) 1922 c. 8 (N.I.)
(**c**) 1949 c. 9 (N.I.)
(**d**) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163
(**e**) 1979 c. 48
(**f**) S.I. 1985/1189
(**g**) S.R. & O. (N.I.) 1950, No. 97 (p. 617)

(3) For the purposes of regulation 34 (prevention of duplication), a gratuity under this regulation shall be ignored.

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

Northern Ireland Office
2nd September 1985

EXPLANATORY NOTE

(This note is not part of the Regulations.)

The Ulster Special Constabulary pensions scheme provides for discretionary increases in the police pensions of the widows of former members of the Ulster Special Constabulary 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 widow in receipt of such a discretionary increase in her police widow's pension during the week beginning with 2nd December 1985 if she is not entitled to a payment under section 1(1) of the Pensioners' Payments and Social Security Act 1979 as that Act has effect by virtue of the Pensioners' Lump Sum Payments Order 1985.