1988 No. 392

POLICE

Royal Ulster Constabulary Pensions (Lump Sum Payments to Widows) Regulations 1988

Made	*22nd October 1988*
Coming into operation . .	*5th December 1988*
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 and the Police Association, and in accordance with section 2(3) of the Police Negotiating Board Act 1980(**b**), the Police Negotiating Board for the United Kingdom, hereby, with the concurrence of the Treasury, makes the following regulations, which provide for payments corresponding to payments under Article 67 of and Schedule 6 to the Social Security (Northern Ireland) Order 1986(**c**):—

Citation and commencement

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

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(**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 Department under paragraph 1(3) of Schedule 6 to the Social Security (Northern Ireland) Order 1986 for the purposes of that Schedule.

Entitlement to gratuity

3.—(1) This regulation shall apply to a widow 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

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(**a**) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670
(**b**) 1980 c. 10
(**c**) S.I. 1986/1888 (N.I. 18)
(**d**) S.R. & O. (N.I.) 1949 No. 211 (p. 379) as amended in particular by S.R. & O. (N.I.) 1964 No. 158

(*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 relevant week.

(2) Except where a widow to whom this regulation applies is entitled to a payment by virtue of Article 67 of and Schedule 6 to the Social Security (Northern Ireland) Order 1986, or the Royal Irish Constabulary (Lump Sum Payments to Widows) Regulations 1988(a), the Police Authority for Northern Ireland shall pay her a gratuity of £10 (or such larger sum as may be specified in an order made by the Department under paragraph 2(3)(*b*) of Schedule 6 to the Social Security (Northern Ireland) Order 1986 for the purposes of that Schedule) in respect of the year in which the relevant week falls.

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

Tom King
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
22nd October 1988

David MacLean
Alan Howarth
Two of the Lords Commissioners of Her Majesty's Treasury

We concur
2nd November 1988

(a) S.I. 1988/1937

EXPLANATORY NOTE

(This note is not part of the Regulations.)

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 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 equivalent to the Christmas bonus for pensioners payable under Schedule 6 to the Social Security (Northern Ireland) Order 1986 if she is not entitled to a payment by virtue of that Schedule or the Royal Irish Constabulary (Lump Sum Payments to Widows) Regulations 1988.