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STATUTORY RULES OF NORTHERN IRELAND

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**2012 No. 82**

**Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) (Amendment) Regulations 2012**

**Amendment of the Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) Regulations 2006**

**2.—(1)** The Police Service of Northern Ireland and Police Service of Northern Ireland Reserve (Injury Benefit) Regulations 2006<sup>(1)</sup> are amended as follows.

(2) For Regulation 12(1) substitute —

“(1) This Regulation applies to an adult survivor of a police officer who dies or has died as the result of an injury received without his own default in the execution of his duty (“the deceased officer”).

(1A) For the purposes of these Regulations “adult survivor” means a person who at the time of the death of the police officer concerned was his spouse, civil partner or, subject to paragraph (1B), other adult partner.

(1B) An adult partner other than a spouse or civil partner shall not be regarded as an adult partner unless—

- (a) the police officer concerned had made and sent to the Board a declaration, signed by the police officer and the adult partner, that—
  - (i) the police officer and the adult partner were cohabiting as partners in an exclusive, committed and long-term relationship;
  - (ii) the adult partner was financially dependent on the police officer or they were financially interdependent;
  - (iii) the police officer and the adult partner were both free to marry each other (where they are of opposite sexes) or to form a civil partnership with each other (where they are of the same sex);
  - (iv) the police officer acknowledged an obligation to send to the Board a signed notice of revocation should the relationship terminate;

and had not revoked that declaration before his death; and

- (b) the adult partner has submitted a claim in writing to the Board and satisfied the Board—
  - (i) that the circumstances mentioned in paragraph (i), (ii) and (iii) of subparagraph (a) continued to subsist at the time of the police officer’s death, and
  - (ii) that the period of cohabitation mentioned in paragraph (i) of subparagraph (a) had been of at least two years’ duration at the time of the police officer’s death.

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<sup>(1)</sup> S.R. 2006 No. 268 to which there are amendments not relevant to these Regulations.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(1C) The Board may in its discretion accept a shorter period of cohabitation than that mentioned in paragraph (2)(b)(ii) where it is satisfied, in the particular circumstances of the case, that it is likely that the deceased officer and the adult partner concerned would have cohabited as partners for at least two years had the police officer not died.

(1D) Upon receipt of a declaration or notice of revocation of such a declaration made in accordance with paragraph (2)(a), the Board shall forthwith send to the police officer concerned a written notification of its receipt.”.

(3) In regulation 12(6) after “civil partners,” insert “or the other surviving adult partner and the deceased officer were cohabiting (as the case may be),”.

(4) In regulation 13(2)(b) (adult survivor’s augmented award) after “constable” insert “in the metropolitan police force”.

(5) In regulation 17(4) (child’s special gratuity) after “constable” insert “in the metropolitan police force”.