

SCHEDULE 2

PART 1

AMENDMENTS OF THE 1987 REGULATIONS

1. In regulation A2(b) (supplementary provisions) for “, the Police Pensions (War Service) (Transferees) Regulations 1985 and the Police (Injury Benefit) Regulations 1987 as amended by regulations 5, 6 and 7” substitute “and the Police Pensions (War Service) (Transferees) Regulations 1985 as amended by regulations 5 and 6”.
2. In regulation A8 (persons treated as being in receipt of a pension)–
 - (a) for “, ill health or as the case may be, injury”, substitute “or as the case may be, ill health”; and
 - (b) omit paragraph (c).
3. In regulation A12(2), omit “Subject to paragraph 3”.
4. At the end of regulation B5(2)(b) (policeman’s deferred pension) insert “or to an award under regulation 11 of the Injury Benefit Regulations”.
5. In regulation B6(1)(b) (award by way of repayment of aggregate pension contributions) after “this Part” insert “or to an award under regulation 11 of the Injury Benefit Regulations”.
6. In regulation B7(8)(b) (commutation general provision), after “injury pension” insert “under regulation 11 of the Injury Benefit Regulations”.
7. In regulation B8 (commutation-small pensions)–
 - (a) in paragraph (1), after “together with” insert “any injury pension to which he is entitled under regulation 11 of the Injury Benefit Regulations,”; and
 - (b) in paragraph (3), after “one pension” insert “(including an injury pension under regulation 11 of the Injury Benefit Regulations)”.
8. In regulation C1(1)(b) (widow’s ordinary pension), for “and an injury pension” substitute “pension under regulation B3 and an injury pension under regulation 11 of the Injury Benefit Regulations”.
9. In regulation C5 (limitation on award to widow with reference to date of marriage or formation of a civil partnership and pension in case of post-retirement marriage or formation of a civil partnership)–
 - (a) omit paragraph (2); and
 - (b) in paragraph (3), omit “or (2)(a),” and “, C2”.
10. In regulation C6 (widow’s requisite benefit and temporary pension)–
 - (a) in paragraph (1), for “, C2(1) or C4(1)” substitute “or C4(1) or not entitled to an adult survivor’s special award under regulation 13 of the Injury Benefit Regulations”;
 - (b) in paragraph (2), after “an injury pension” insert “under regulation 11 of the Injury Benefit Regulations”; and
 - (c) in paragraph (4)(b), for the words following “such a pension” substitute “under regulation 11 of the Injury Benefit Regulations but for his entitlement to additional benefit within the meaning of paragraph 7(3) of Schedule 3 to those Regulations and, where he is, or is so treated as being, in receipt of such a pension, the provisions of paragraph 7(3) shall be disregarded in determining the weekly amount of that pension.”.

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

11. In regulation C7(1) (widow's award where no other award payable)–
 - (a) omit “, C 2” ; and
 - (b) after “applies” insert “and who has no entitlement to an adult survivor’s special award under regulation 13 of the Injury Benefit Regulations”.
12. In regulation D1(b) (child’s ordinary allowance), for “and an injury pension” substitute “pension under regulation B3 and an injury pension under regulation 11 of the Injury Benefit Regulations”.
13. In regulation D5 (child’s allowance or special gratuity- limitations)–
 - (a) in paragraph (1), omit “or gratuity” and “and “a special gratuity””;
 - (b) in paragraph (2), omit sub paragraph (b);
 - (c) omit paragraph (7);
 - (d) in paragraph (8), for “, (5) and (7)” substitute “and (5)”;
 - (e) in paragraph (9), omit “or special gratuity”.
14. In regulation E3 (gratuity estate)–
 - (a) in paragraph (2)(a), after “injury pension” insert “under regulation 11 of the Injury Benefit Regulations”;
 - (b) in paragraph (2)(c), after “including” insert “any such pension or allowance granted under the Injury Benefit Regulations and”;
 - (c) at the end of paragraph (2)(d), insert “(including any such gratuity granted under the Injury Benefit Regulations)”.
15. In regulation E4(6) (gratuity in lieu of widow’s pension), omit “or special” in both places where it appears.
16. In regulation E7 (prevention of duplication)–
 - (a) in paragraph (1)(a), after “Part C” insert “of these Regulations or under regulation 13 of the Injury Benefit Regulations”;
 - (b) in paragraph (1)(b), for “or an adult dependent relative’s pension under regulation E1” substitute “or a child’s special allowance under regulation 17 of the Injury Benefit Regulations or an adult dependent relative’s special pension under regulation 20 of the said Regulations”.
17. In regulation E8 (increase of widow’s pension or child’s allowance during first 13 weeks)–
 - (a) in paragraph (1), omit “, special” in both places where it appears;
 - (b) in paragraph (2)(i), for the words from “paragraph 4” to “member’s” substitute “paragraph 7(3) of Schedule 3 to the Injury Benefit Regulations (police officer’s”;
 - (c) in paragraph (2)(ii), after “injury pension” insert “under regulation 11 of the Injury Benefit Regulations”.
18. In regulation G1(5)(a) (pensionable and average pensionable pay), omit the words from “regulation B4” to “augmented award)” and the words from “D2” to “special pension)”.
19. In regulation H1(2) (reference of medical questions), omit the words from “and, if they are further considering” onwards.
20. In regulation J1(policeman with a guaranteed minimum for the purposes of the Social Security Pensions Act)–
 - (a) in paragraph (2)(b), after “Part B” insert “or an injury pension under regulation 11 of the Injury Benefit Regulations”;

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

- (b) in paragraph (2)(c)(ii), after “Part B” insert “or an injury pension under regulation 11 of the Injury Benefit Regulations” and after “regulation K4”, insert “ or, as the case may be, regulation 39 of the Injury Benefit Regulations”;
 - (c) in paragraph (3), after “Part B” in the first place where it appears, insert “or an injury pension under regulation 11 of the Injury Benefit Regulations”;
 - (d) in paragraph (3)(a), omit “other than an injury pension” and for “some other” substitute “under regulation 11 of the Injury Benefit Regulations and a”;
 - (e) in paragraph (3)(b), omit “, in the case of a pension other than an injury pension,”;
 - (f) in paragraph (4)(a), after “Part C” insert “or a widow’s special pension under regulation 13 of the Injury Benefit Regulations”;
 - (g) in paragraph 4A(a), omit the words from “regulation E1(3)” to “regulation E1(1)(c) or” and after “Part C” insert “or under regulation 20 of the Injury Benefit Regulations (adult dependent relative’s special pension) by virtue of paragraph (1)(c) of the said regulation”;
 - (h) in paragraph (5), after “Part C” in the first place where it appears insert “or a special pension under regulation 13 of the Injury Benefit Regulations” and after “Part C” in the second place where it appears insert “or such a special pension as aforesaid”;
 - (i) in paragraph (5A), for “E1(3) by virtue of regulation E1(1)(c)” substitute “20 of the Injury Benefit Regulations by virtue of paragraph (1)(c) of that regulation”; and
 - (j) in paragraph (6)(c), omit “or under regulation E1”.
- 21.** In regulation K1(cancellation of pensions)–
- (a) at the heading, omit “and injury”; and
 - (b) in paragraph (4), omit “(a)” which precedes sub-paragraph (a), “and” which follows that sub-paragraph and sub-paragraph (b).
- 22.** In regulation K3 (reduction of pension in case of default), omit “or injury”.
- 23.** In regulation K4(1) (withdrawal of pension during service as a regular policeman), omit “or under regulation E1 (adult dependent relative’s special pension)”.
- 24.** In regulation K5(1) (forfeiture of pension), omit “or under regulation E1 (adult dependent relative’s special pension)”.
- 25.** In regulation L3 (payment and duration of awards)–
- (a) omit paragraph (1)(b);
 - (b) in paragraph 2(ii), omit “other than an injury gratuity under regulation B4”; and
 - (c) omit paragraph (3)(d).
- 26.** In Schedule A (glossary of expressions)–
- (a) insert at the appropriate place “the Injury Benefit Regulations” means the Police (Injury Benefit) (Scotland) Regulations 2006(1)”; and
 - (b) omit the definitions of “injury”, “injury received in the execution of duty” and “the result of an injury”.
- 27.** In paragraph 1(2)(b) of Part I of Schedule C (widow’s ordinary pension), for “ill health and an injury pension” insert “an ill-health pension under Part B and an injury pension under regulation 11 of the Injury Benefit Regulations”.
- 28.** In paragraph 1 of Part IV of Schedule C (widow’s pension in case of post retirement marriage)–

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

- (a) for “or special award under regulation C1 or C2” substitute “under regulation C1”; and
 - (b) omit sub paragraph (c) and the word “and” immediately preceding it.
- 29.** In paragraph 1 of Part I of Schedule D (child’s ordinary allowance)–
- (a) in sub paragraph (4), for “, ill health or injury pension” substitute “or ill health pension or an injury pension under regulation 11 of the Injury Benefit Regulations”; and
 - (b) in sub paragraph (5), after “ill health pension” insert “under Part B” and after “injury pension” insert “under regulation 11 of the Injury Benefit Regulations”.
- 30.** In paragraph (3)(1)(b) of Part I of Schedule D, for “ill health and an injury pension” insert “an ill health pension under Part B and an injury pension under regulation 11 of the Injury Benefit Regulations”.
- 31.** In Schedule J–
- (a) in Part I, omit paragraphs 6 and 7;
 - (b) in Part II, omit paragraph 6;
 - (c) in paragraph 4(4) of Part VI, omit paragraphs (a), (b), (f), (i) and (j); and
 - (d) in paragraph 8(1C)(j) of Part VI, omit “and injury”.