

1974 No. 1629 (S.146)

POLICE

**The Police Cadets (Pensions) (Scotland) Amendment
Regulations 1974**

Made - - - - 16th September 1974

Laid before Parliament 29th October 1974

Coming into Operation 19th November 1974

In exercise of the powers conferred on me by section 27 of the Police (Scotland) Act 1967(a), as read with section 13 of the Superannuation (Miscellaneous Provisions) Act 1967(b) and extended and amended by sections 12 and 15 of the Superannuation Act 1972(c), and of all other powers enabling me in that behalf, and after consultation with the Police Council for the United Kingdom in accordance with section 4(5) of the Police Act 1969(d), I hereby make the following regulations:—

1. These regulations may be cited as the Police Cadets (Pensions) (Scotland) Amendment Regulations 1974.

2. These regulations shall come into operation on 19th November 1974 and shall have effect as from 1st December 1973 except that for the purposes of regulation 5(1)(a) thereof they shall have effect as from 1st April 1974.

3. In these regulations any reference to the Instrument of 1973 is a reference to the Police Cadets (Pensions) (Scotland) Regulations 1973(e) and any reference to the old cases Instrument is a reference to the Police Cadets (Pensions) (Scotland) Regulations 1971(f), as amended and in so far as they continue to have effect(g).

4.—(1) In the application of the Police Pensions Regulations 1973(h) to the calculation of a widow's pension or child's allowance under the Instrument of 1973, these regulations shall have effect subject to the provisions of Part III of the Police Pensions (Amendment) Regulations 1974(i) (which are connected with the Pensions (Increase) Act 1974(j) and have effect as from 1st December 1973).

(2) In accordance with paragraph (1) above, for regulation 3(1) of the Instrument of 1973 (definition of expression "principal regulations") there shall be substituted the following provision:—

(a) 1967 c. 77.

(c) 1972 c. 11.

(e) S.I. 1973/434 (1973 I, p. 1528).

(g) S.I. 1973/434 (1973 I, p. 1528).

(i) S.I. 1974/1533 (1974 III, p. 5822).

(b) 1967 c. 28.

(d) 1969 c. 63.

(f) S.I. 1971/246 (1971 I, p. 849).

(h) S.I. 1973/428 (1973 I, p. 1401).

(j) 1974 c. 9.

“3.—(1) In these regulations the expression “the principal regulations” means the Police Pensions Regulations 1973 as amended by the Police Pensions (Amendment) Regulations 1974.”.

5.—(1) In the application of the Police Pensions Regulations 1971(a) to the calculation of a widow’s pension or child’s allowance under the old cases Instrument, these regulations shall have effect subject to—

- (a) the provisions of Part II of the Police Pensions (Amendment) Regulations 1974 (which revoke provisions for the reduction of a child’s allowance and have effect as from 1st April 1974), and
- (b) the provisions of Part III of the said regulations of 1974 (which are connected with the Pensions (Increase) Act 1974 and have effect as from 1st December 1973).

(2) In accordance with paragraph (1) above, for regulation 2(1) of the old cases Instrument (definition of expression “principal regulations”) there shall be substituted the following provision:—

“2.—(1) In these regulations the expression “the principal regulations” means the Police Pensions Regulations 1971 as amended by the Police Pensions (Amendment) Regulations 1972(b) and the Police Pensions (Amendment) Regulations 1974.”.

William Ross,
One of Her Majesty’s Principal
Secretaries of State.

St. Andrew’s House,
Edinburgh.
16th September 1974.

(a) S.I. 1971/232 (1971 I, p. 700).

(b) S.I. 1972/1642 (1972 III, p. 4829).

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Police Cadets (Pensions) (Scotland) Regulations of 1973 (the current Instrument) and those of 1971 (the old cases Instrument) which gives to police cadets and their dependants certain pension benefits for which members of police forces and their dependants are eligible under, respectively, the Police Pensions Regulations of 1973 and those of 1971.

The Police Pensions (Amendment) Regulations 1974 provide, in Part III, for the increase by reference to the Pensions (Increase) Act 1974 of certain widows' pensions and children's allowances payable under the Police Pensions Regulations 1973 and for any reference in either those Regulations or the Police Pensions Regulations 1971 to the Pensions (Increase) Act 1971 to be construed as a reference to that Act as amended by the Act of 1974. The present Regulations provide, in regulations 4 and 5, that Part III shall have effect in relation to the Police Pensions Regulations of 1973 and those of 1971 as applied, respectively, by the Police Cadets (Pensions) (Scotland) Regulations of 1973 and those of 1971.

The Regulations of 1974 also provide, in Part II, for the revocation of certain provisions of the Police Pensions Regulations 1971 relating to the reduction, in certain circumstances, of a child's allowance payable thereunder. The present Regulations provide, in regulation 5, that Part II shall have effect in relation to the Police Pensions Regulations 1971 as applied by the Police Cadets (Pensions) (Scotland) Regulations 1971.

The present Regulations have the like retrospective effect as the Police Pensions (Amendment) Regulations 1974 (this is authorised by sections 12 and 15 of the Superannuation Act 1972).

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