

## 1974 No. 1902 (S.171)

## POLICE

**The Special Constables (Pensions) (Scotland) (Lump Sum  
Payments to Widows) Regulations 1974**

<i>Made - - - -</i>	14th November 1974
<i>Laid before Parliament</i>	15th November 1974
<i>Coming into Operation</i>	18th November 1974

In exercise of the powers conferred on me by section 26 of the Police (Scotland) Act 1967(a) as extended by sections 12 and 15(5) of the Superannuation Act 1972(b) and of all other powers enabling me in that behalf, and after submitting a draft of the following regulations to and considering any representations made by the Joint Central Committee and such bodies and associations as are mentioned in section 26(9)(b) of the said Act of 1967, I hereby make the following regulations:—

1. These regulations may be cited as the Special Constables (Pensions) (Scotland) (Lump Sum Payments to Widows) Regulations 1974 and shall come into operation on 18th November 1974.

2. In these regulations any reference to the old cases Instrument is a reference to the Special Constables (Pensions) (Scotland) Regulations 1971(c), as amended (d) and in so far as they continue to have effect (e).

3.—(1) These regulations shall be construed as one with the old cases Instrument which shall have effect as if regulation 4 of these regulations were included therein.

(2) Without prejudice to the preceding paragraph, any reference in these regulations to the principal regulations is a reference to the Police Pensions Regulations 1971(f), as amended (g).

4.—(1) This regulation shall apply to a widow who is in receipt of a pension under the old cases Instrument which is increased as hereinafter mentioned, namely—

- (a) under regulation 33 of the principal regulations as applied by regulation 5 of the old cases Instrument (discretionary increase in widow's special pension), or
- (b) under regulation 35 of the principal regulations as applied by regulation 7 of the old cases Instrument (discretionary increase in widow's pension under the provisions of 1923 or 1945),

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(a) 1967 c. 77.

(b) 1972 c. 11.

(c) S.I. 1971/234 (1971 I, p. 814).

(d) The relevant amending instrument is S.I. 1971/1501 (1971 III, p. 4200).

(e) See S.I. 1973/433 (1973 I, p. 1522).

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

(g) The relevant amending instruments are S.I. 1971/583, 1327, 1466, 1972/1642 (1971 I, p. 1573; II, p. 3794; III, p. 4136; 1972 III, p. 4829).

where the increase is payable in respect of a period which includes a day in the week beginning with 18th November 1974.

(2) Except where a widow to whom this regulation applies is entitled to a payment under section 1(1) of the Pensioners' Payments Act 1974(a), the police authority shall pay her a gratuity of £10.

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

St. Andrew's House,  
Edinburgh.  
14th November 1974.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

The Special Constables (Pensions) (Scotland) Regulations 1971 (which apply in relation to special constables who ceased to hold office before 1st April 1972) give to the widows of special constables certain pension benefits for which the widows of members of police forces are eligible under the Police Pensions Regulations 1971. In particular, they make provision for discretionary increases, in certain circumstances, in special constabulary widows' pensions corresponding to the provision made in that behalf, in the case of police widows, by the last mentioned regulations.

These Regulations make provision for the payment of a gratuity of £10 in the case of a special constabulary widow in receipt of such a discretionary increase in her special constabulary widow's pension during the week beginning with 18th November 1974 if she is not entitled to a payment under section 1(1) of the Pensioners' Payments Act 1974. This provision corresponds to that made in the case of police widows by the Police Pensions (Lump Sum Payments to Widows) Regulations 1974 (S.I. 1974/1899).

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(a) 1974 c. 54.

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