STATUTORY INSTRUMENTS

1987 No. 257

The Police Pensions Regulations 1987

Part E

Awards on Death—Additional Provisions

Dependent relatives and estate

Adult dependent relative's special pension

E1.—(1) This Regulation shall apply in the case of a member of a police force who dies as the result of an injury received without his own default in the execution of his duty and, in such case, shall apply—

(a) to a parent or (without prejudice to the following sub-paragraph) to a brother or sister of the member who had attained the age of 19 years before the member's death;

(b) subject to his having attained the age of 19 years, to any child of the member whether or not he had attained that age before the member's death, or

(c) where the member was a married woman whose husband was permanently disabled at the time she died, to her widower,

subject, in each case, to the person in question being substantially dependent on the member immediately before the member's death.

(2) If the police authority, having regard to all the circumstances of the case, so determine, they may grant a special pension to any such dependent relative.

(3) A dependent relative's special pension shall be calculated in accordance with Part I of Schedule E and, subject to paragraph 4 thereof, shall be payable for such period or periods as the police authority may, in their discretion, from time to time determine.

Gratuities—dependent relatives

E2.—(1) This Regulation shall apply in the case of a regular policeman—

(a) who dies while in receipt of a pension or while entitled to a deferred pension, whether or not that pension has come into payment, if death—

(i) results from an injury received in the execution of his duty, or

(ii) takes place within 2 years of his becoming entitled to his pension, or

(b) who dies while serving as such and in respect of whom no award is payable otherwise than by virtue of this or the next following Regulation or by virtue of Regulation B9(9) (*allocation*).

(2) In the case of such a regular policeman the police authority may, in their discretion, grant a gratuity to any relative of the policeman who was dependent on him to any degree at the time of his death but the aggregate amount of any gratuities granted under this Regulation shall not exceed the aggregate pension contributions in respect of the policeman's relevant period of service.

Gratuity—estate

E3.—(1) This Regulation shall apply in the case of a regular policeman—

(a) who dies while entitled to an ordinary, short service, ill-health or deferred pension, whether or not that pension has come into payment, or

(b) who dies while serving as such.

(2) If, in the case of such a regular policeman, the aggregate of—

(a) any payments made or due to him on account of his ordinary, short service, ill-health or deferred pension or by way of a lump sum under Regulation B7 where a portion of such a pension has been commuted, or on account of an injury pension, together with any increase therein under the Pensions (Increase) Acts;

(b) where he has, or is deemed to have, exercised the right of election conferred by paragraph 8 of Part I of Schedule J (*award in certain cases in lieu of deferred pension under Regulation B5*), any payment made or due to him (or his estate) on account of the award mentioned in sub-paragraph (6)(a) of that paragraph;

(c) the capitalised value (calculated in accordance with tables prepared from time to time by the Government Actuary) of any pension or allowance granted in respect of his death (including, where he has allocated a portion of his pension under Regulation B9, any pension payable thereunder to the beneficiary of that allocation); and

(d) any gratuity granted in respect of his death otherwise than under this Regulation,

is less than his aggregate pension contributions in respect of his relevant period of service, the police authority shall pay a gratuity equal to the difference to his legal personal representative.