

1988 No. 391

ULSTER SPECIAL CONSTABULARY

PENSIONS

Ulster Special Constabulary Pensions (Lump Sum Payments to Widows) Regulations 1988

Made 22nd October 1988

Coming into operation 5th December 1988

The Secretary of State, in pursuance of section 1 of the Special Constables Act 1914(a) (as extended and amended by section 8 of the Constabulary Act (Northern Ireland) 1922(b)), and section 4(4) of the Constabulary (Pensions) Act (Northern Ireland) 1949(c), read with section 33(2) of the Police Act (Northern Ireland) 1970(d), hereby makes the following regulations, which provide for payments corresponding to payments under Article 67 of and Schedule 6 to the Social Security (Northern Ireland) Order 1986(e):—

Citation and commencement

1. These regulations may be cited as the Ulster Special Constabulary Pensions (Lump Sum Payments to Widows) Regulations 1988 and shall come into operation on 5th December 1988.

Interpretation

2.—(1) These regulations shall be construed as one with the Ulster Special Constabulary Pensions Regulations 1950(f) which shall have effect as if regulation 3 were included therein.

(2) In these regulations—

any reference to a regulation is a reference to a regulation of the said regulations of 1950;

“the relevant week”, in relation to any year, means the week beginning with the first Monday in December or such other week as may be specified in an order made by the Department under paragraph 1(3) of Schedule 6 to the Social Security (Northern Ireland) Order 1986 for the purposes of that Schedule.

(a) 4 and 5 Geo. 5 c. 61
 (b) 12 and 13 Geo. 5 c. 8 (N.I.)
 (c) 1949 c. 9 (N.I.)
 (d) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163
 (e) S.I. 1986/1888 (N.I. 18)
 (f) S.R. & O. (N.I.) 1950, No. 97 (p. 617)

Entitlement to gratuity

3.—(1) This regulation shall apply to a widow who is in receipt of a pension increased under any of the following provisions of the Ulster Special Constabulary Pensions Regulations 1950, namely—

- (a) regulation 15 (discretionary increase in widow's ordinary pension);
- (b) regulation 17 (discretionary increase in widow's special pension); or
- (c) regulation 21(3) (discretionary increase in awards to widows whose husbands died before 5th July 1948),

where the increase is payable in respect of a period which includes a day in the relevant week.

(2) Except where a widow to whom this regulation applies is entitled to a payment by virtue of the Article 67 of and Schedule 6 to the Social Security (Northern Ireland) Order 1986 the Police Authority for Northern Ireland shall pay her a gratuity of £10 (or such larger sum as may be specified in an order made by the Department under paragraph 2(3)(b) of Schedule 6 to the Social Security (Northern Ireland) Order 1986 for the purposes of that Schedule) in respect of the year in which the relevant week falls.

(3) For the purpose of regulation 34 (prevention of duplication), a gratuity under this regulation shall be ignored.

Tom King

Northern Ireland Office
22nd October 1988

One of Her Majesty's Principal
Secretaries of State

EXPLANATORY NOTE

(This note is not part of the Regulations.)

The Ulster Special Constabulary pensions scheme provides for discretionary increases in the police pensions of the widows of former members of the Ulster Special Constabulary where the widow would have been entitled to widow's benefit or a retirement pension under the Social Security (Northern Ireland) Acts had her husband satisfied the contribution conditions therefor or where he died before 5th July 1948 (when the National Insurance Act (Northern Ireland) 1946 came into operation).

These regulations provide for the payment of a gratuity of £10 in the case of a widow in receipt of such a discretionary increase in her police widow's pension equivalent to the Christmas bonus for pensioners payable under Schedule 6 to the Social Security (Northern Ireland) Order 1986 if she is not entitled to a payment by virtue of that Schedule.