

GOVERNMENT CIRCULAR No. 82/61.

G.O. Reference No. P.2506/9/2.

Isle of Man to Wit.

By His Excellency Sir Ronald Herbert Garvey, K.C.M.G., K.C.V.O., M.B.E.,
Lieutenant Governor of the said Isle, &c., &c., &c.

The Isle of Man Police Pensions (Amendment) Regulations, 1961.

I, the said Lieutenant Governor, in exercise of the powers vested in me, hereby make the following Regulations:—

1. For paragraph (2) of Regulation 2 of the Isle of Man Police Pensions Regulations, 1956 (which relates to the duration and amount of awards) there shall be substituted the following paragraph:—

“(2) Subject to the provisions of these Regulations, the amount of a pension payable to a person who has been a member of the police force shall, in the manner hereafter provided, be calculated with reference to his average pensionable pay and shall be payable in respect of each year after his retirement.”

2. (1) For paragraph (2) of Regulation 3 of the said Regulations of 1956 (which relates to a policeman's ordinary pension), there shall be substituted the following paragraph:—

“(2) An ordinary pension shall be of an amount determined in accordance with Parts I, III and V of the First Schedule to these Regulations; but, in the case of a person entitled to reckon less than thirty years' pensionable service who retires after the seventh day of August, 1961, no payments shall be made on account of the pension in respect of the period, if any, before he has attained the age of fifty years.”

(2) At the end of the said Regulation 3 there shall be added the following paragraph:—

“(4) In relation to a person who—

- (a) is serving as a policeman on the seventh day of August, 1961, or
- (b) is entitled under Regulation 60 to reckon as pensionable service a period which includes that day,

the limitation imposed by paragraph (2) on the making of payments in respect of a period before a person has attained the age of fifty years shall not apply on his first retiring from the police force on or after that day; and a person who has retired with an ill-health pension and subsequently rejoins the force in the circumstances, and within the period, mentioned in paragraph (2) of Regulation 36, shall be treated for the purposes of

this paragraph as if he had not retired but had served as a policeman throughout the period for which he was in receipt of that pension”.

3. (1) For paragraph (6) of Regulation 65 of the said Regulations of 1956, as set out in Regulation 7 of the Isle of Man Police Pensions (No. 2) Regulations, 1960 (which relates to the allocation of part of a pension in favour of a dependant) there shall be substituted the following paragraph:—

“(6) Where a person retires or has retired and a notice of allocation given by him has become or becomes effective, the pension to which the notice relates shall be reduced in accordance with the notice as from the date from which it is payable (notwithstanding the death of the beneficiary before that date)”.

(2) In paragraph (7) of the said Regulation 65 for the words “which is reduced” there shall be substituted the words “which falls to be reduced”.

4. For Regulation 67 of the said Regulations of 1956 (which relates to persons treated as being in receipt of a supplemental pension) there shall be substituted the following Regulation:—

“Persons treated as being in receipt of a pension

67. For the purposes of these Regulations a person shall be treated as being in receipt of an ordinary or, as the case may be, supplemental pension if he would be in receipt of such a pension—

- (a) in the case of an ordinary pension, had he attained the age of fifty years, or
- (b) in the case of a supplemental pension, had the aggregate of any of the payments described in paragraph (3) of Regulation 6 been less than the standard amount appropriate to his case”.

5. These Regulations may be cited as the Isle of Man Police Pensions (Amendment) Regulations, 1961, and shall be deemed to have come into operation on the seventh day of August, 1961.

GIVEN under my hand this 15th day of November, 1961.

R. H. GARVEY,
Lieutenant Governor.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the Isle of Man Police Pensions Regulations, 1956.

Regulation 2 is the principal Regulation. Regulation 3 of the Isle of Man Pensions Regulations, 1956, provides (subject to limited exceptions) that a policeman retiring with twenty-five or more years' pensionable service shall be entitled to an ordinary pension. Regulation 2 of the present Regulations provides that, in the case of a policeman entitled to reckon less than thirty years' pensionable service, such a pension shall not come into payment unless and until he has attained the age of fifty years, but preserves the existing provision in the case of serving policemen and certain other case.

The remaining Regulations contain consequential amendments.

Regulation 1 restates the general provision that a policeman's pension shall be payable in respect of each year after his retirement but expressly makes this subject to the provisions of the 1956 Regulations (including the limitation introduced by Regulation 2 of the present Regulations as respects the payment of an ordinary pension).

Regulation 3 restates part of the provisions for the allocation of part of a pension in favour of a dependant and makes amendments to take account of pensions which, owing to the limitation introduced by Regulation 2, do not come into payment until a date after retirement.

Regulation 4 restates, with amendments, a provision under which in certain cases a person is treated as being in receipt of a pension for the purposes of the 1956 Regulations. (Under those Regulations a widow's or child's entitlement to an award may depend on the husband or father having been in receipt of a pension at the time of his death). The amendments extend the provision to cover the case of a person under the age of fifty who would have been in receipt of an ordinary pension but for the limitation introduced by Regulation 2.