

Government Circular No. 12/70.
G.O. Reference No. P. 2506/9/2.

P O L I C E

THE ISLE OF MAN POLICE PENSIONS
(AMENDMENT) (NO.2) REGULATIONS, 1970.

ISLE OF MAN
TO WIT.

By His Excellency Sir Peter Hyla Gawne Stallard,
K.C.M.G., C.V.O., M.B.E., Lieutenant Governor
of the said Isle, &c., &c., &c.

THE ISLE OF MAN POLICE PENSIONS
(AMENDMENT) (NO.2) REGULATIONS, 1970.

I the said Lieutenant Governor, in exercise of
the powers conferred on me by Section 16 of the
Police (Isle of Man) Act, 1962, hereby make the
following Regulations:-

P A R T I

GENERAL

1. These Regulations may be cited as the Isle of Man Police Pensions (Amendment) (No.2) Regulations, 1970.
2. These Regulations shall come into operation on the 19th March, 1970, and shall take effect from the 3rd November, 1969.
3. In these Regulations any reference to the principal Regulations is a reference to the Isle of Man Police Pensions Regulations 1968.
4. For Regulation 12(3) of the principal Regulations (which provides, in certain cases, for the increase of a widow's ordinary pension, in certain circumstances by 127s. Od. a week, or in certain other circumstances by 90s. Od. a week) there shall be substituted the following provisions:

" (3) Subject to paragraph (4), a pension increased under this Regulation shall be payable at a rate increased by 140s. Od. a week for the first 26 weeks that the pension is payable and thereafter during the periods and in the conditions

set out in Part VI of Schedule 2 at a rate increased by 100s. 0d a week:

Provided that where a pension calculated in accordance with Scheme II of Part II of Schedule 2 is increased under this Regulation, the increased pension shall not be at a higher rate than it would have been if it had been calculated in accordance with Scheme I of the said Part II and increased in accordance with the provisions of this Regulation."

5. For Regulation 15(3) of the principal Regulations (which provides, in certain cases, for the increase of a widow's special pension up to an amount determined by reference to her husband's pay, together with, in certain circumstances, 127s. 0d a week or, in certain other circumstances, 90s. 0d a week) there shall be substituted the following provision:-

" (3) Subject to paragraph (4), the weekly amount up to which the pension may be increased shall be a sixth of her husband's average pensionable pay for a week, increased in accordance with Part XI of these Regulations, together with, for the first 26 weeks that the pension is payable, 140s. 0d a week and thereafter, during the periods and in the conditions set out in Part VI of Schedule 2, 100s. 0d a week."

6. For Regulation 17(3) of the principal Regulations (which provides, in certain cases and circumstances, for the increase of a widow's pension, where the husband died before 5th July, 1948, by 90s. 0d a week) there shall be substituted the following provision:-

" (3) A pension increased under this Regulation shall be payable during the periods and in the conditions set out in Part VI of Schedule 2 at a rate increased by 100s. 0d a week:

Provided that where a pension calculated in accordance with Regulation 16(3)(b), otherwise than by reference to the non-accidental rate specified in paragraph 3 of Section 3 of Schedule 3 of the 1929 conditions, is increased under this Regulation, the increased pension shall not be at a higher rate than it would have been if it had been calculated in accordance with

Regulation 16(3)(a) and increased in accordance with the provisions of this Regulation."

7.-(1) For paragraph 1(4) of Part III of Schedule 3 to the principal Regulations (which provides, in certain cases, for the increase of a child's allowance up to 45s. 6d a week) there shall be substituted the following provision:-

" (4) Where both parents of the child are dead and the parent in respect of whose death an ordinary or special allowance is payable was the child's father and he had attained the age of 65 years on 5th July 1948, then in respect of any week during which -

(a) no person is receiving a guardian's allowance under the National Insurance (Isle of Man) Act 1948, in respect of the child;

(b) the child is included in a family within the meaning of the Family Allowances (Isle of Man) Act 1946, either as originally enacted or as amended by any subsequent enactment;

(c) where the allowance is a special allowance, no allowance is payable under section 20 of the National Insurance (Industrial Injuries) (Isle of Man) Act 1948, in respect of the child;

(d) no armed forces pension or award is payable to or for the child in pursuance of any Royal Warrant or other instrument; and;

(e) no grant is payable to or in respect of the child under any scheme made under the Personal Injuries (Emergency Provisions) Act 1939,

the amount of the allowance may, without prejudice to the provisions of the preceding sub-paragraphs but subject to Part IV of this Schedule, be increased under sub-paragraph (1) to an amount not exceeding 49s. 0d."

8. For paragraph 2(2) of Part III of Schedule 3 to the principal Regulations (which specifies the amounts up to which children's allowances, in certain cases, may be increased) there shall be substituted the following provision:-

" (2) The appropriate amount referred to in the preceding sub-paragraph shall be -

(a) irrespective of the date of the father's death, 49s. 0d. in the case of the only or eldest child included in a family within the meaning of the Family Allowances (Isle of Man) Act 1946, either as originally enacted or as amended by any subsequent enactment;

(b) where the father died on or after the 9th April 1968 -

(i) 36s. 0d. in the case of the second child so included, and

(ii) 34s. 0d. in the case of each subsequent child so included;

(c) where the father died before 9th April 1968 -

(i) 39s. 6d. in the case of the second child so included;

(ii) 37s. 6d. in the case of the third child so included, and

(iii) 35s. 6d. in the case of each subsequent child so included."

9. The Interpretation Act 1949, shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Tynwald.

GIVEN under my hand this 19th day of March, 1970.

P.H.G. STALLARD.

Lieutenant Governor.

Government Office,
Isle of Man.
1970.

EXPLANATORY NOTE

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

These Regulations, which come into operation on 3rd November 1969, amend the Police Pensions Regulations 1968, and relate to widow's pensions and children's allowances.

Police officers were excluded from State insurance arrangements until 1948, when the National Insurance (Isle of Man) Act 1948, came into operation; consequently certain of them were unable to make the required number of contributions to the State scheme, with the result that their widows and children do not qualify for national insurance benefits. However, the Police Pensions Regulations 1968, enable the Governor to make discretionary increases in the awards payable thereunder to such widows and children, of amounts related to the national insurance benefits for which they do not qualify.

Regulations 3, 4 and 5 increase the amount by which widows' pensions may be increased in those cases in which discretionary increases are permitted and Regulations 6 and 7 make similar provision in relation to children's allowances.
