

Government Circular No. 12/71  
G.O. Reference No. P. 2506/9/2.

P O L I C E

THE ISLE OF MAN POLICE PENSIONS  
(AMENDMENT) REGULATIONS, 1971

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) REGULATIONS; 1971

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:-

1. These Regulations may be cited as the Isle of Man Police Pensions (Amendment) Regulations, 1971.
2. These Regulations shall come into operation on the date hereof and shall take effect from 2nd November, 1970.
3. In these Regulations any reference to the principal Regulations is a reference to the Isle of Man Police Pensions Regulations, 1968.
4. At the end of Regulation 12 of the principal Regulations (discretionary increase in widow's ordinary pension) there shall be added the following paragraph:-

" (5) In this Regulation a reference to widow's benefit or a retirement pension under the National Insurance (Isle of Man) Act 1946 does not include a reference to such a benefit or pension payable by virtue of Regulation 3 of the National Insurance (Isle of Man) (Old persons' pensions) Regulations 1970; but the amount of any increase in a widow's pension under this Regulation in respect of any week shall be abated by the amount of any retirement pension received by the widow in respect of that week by virtue of the said Section 3:

/Provided .....

Provided that where the retirement pension so received is increased by virtue of Section 22 of the National Insurance (Isle of Man) Act 1948, it shall be deemed not to have been so increased."

5. At the end of Regulation 15 of the principal Regulations (discretionary increase in widow's special pension) there shall be added the following paragraph:-

" (5) In this Regulation a reference to widow's benefit or a retirement pension under the National Insurance (Isle of Man) Act 1948 does not include a reference to such a benefit or pension payable by virtue of Regulation 3 of the National Insurance (Isle of Man) (Old persons' pensions) Regulations 1970; but the amount of any increase in a widow's pension under this Regulation in respect of any week shall be abated by the amount of any retirement pension received by the widow in respect of that week by virtue of the said Regulation 3:

Provided that where the retirement pension so received is increased by virtue of section 22 of the National Insurance (Isle of Man) Act 1948, it shall be deemed not to have been so increased."

6. At the end of Regulation 17 of the principal Regulations (discretionary increase in widow's award under former Acts) there shall be added the following paragraph:-

" (4) In this Regulation a reference to widow's benefit or a retirement pension under the National Insurance (Isle of Man) Act 1948 does not include a reference to such a benefit or pension payable by virtue of Regulation 3 of the National Insurance (Isle of Man) (Old persons' pensions) Regulations 1970; but the amount of any increase in a widow's pension under this Regulation in respect of any week shall be abated by the amount of any retirement pension received by the widow in respect of that week by virtue of the said Regulation 3:

Provided that where the retirement pension so received is increased by virtue of section 22 of the National Insurance (Isle of Man) Act 1948, it shall be deemed not to have been so increased."

7. At the end of Part V of Schedule 2 to the principal Regulations (reduction of widow's pension in respect of national insurance benefit) there shall be added the following paragraph:-

" 4. In this Part of this Schedule a reference to widow's benefit or a retirement pension under the National Insurance (Isle of Man) Act 1948 does not include a reference to such a benefit or pension

/payable .....

payable by virtue of Regulation 3 of the National Insurance (Isle of Man) (Old persons' pensions) Regulations 1970."

8. 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 3rd day of February, 1971.

P.H.G. STALLARD  
Lieutenant Governor.

Government Office,  
Isle of Man.  
February, 1971.

---

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations amend the Isle of Man Police Pensions Regulations 1968 and are made in consequence of the making of the National Insurance (Isle of Man) (Old persons' pensions) Regulations 1970. Section 3 of those Regulations contains provision for the payment of national insurance pensions (by way of retirement pension or widow's benefit) for or in respect of persons over pensionable age for national insurance purposes on 5th July 1948. The payment of a pension by virtue of section 3 is not subject to any contribution conditions.

Regulations 12 and 15 of the Isle of Man Police Pensions Regulations 1968 give power to increase a police widow's pension where she would have been entitled to receive national insurance widow's benefit or a retirement pension had her husband satisfied the contribution conditions therefor. Regulation 17 of the Regulations of 1968 makes similar provision in the case of a widow whose husband died before 5th July 1948. The increase is not payable in respect of any week for which the widow is receiving one of the payments specified in the Regulation in question. Regulations 4, 5 and 6 of the present Regulations amend Regulations 12, 15 and 17 of the Regulations of 1968 and provide that references

/therein .....

therein to national insurance widow's benefit or a retirement pension shall not include such an award payable by virtue of section 3 of the Regulations of 1970 but that, where a widow is in receipt of both a discretionary increase in her police pension and a retirement pension so payable, the discretionary increase is to be abated by the amount of the retirement pension (any increase therein on account of dependants being ignored).

Part V of Schedule 2 to the Regulations of 1968 provides that certain police widows' pensions shall be reduced by the amount of any national insurance widows' benefit or retirement pension received by the widow. Regulation 7 of the present Regulations provides that there shall be no such reduction where the benefit or pension is payable by virtue of section 3 of the Regulations of 1970.

The present Regulations come into operation on 2nd November 1970, the date on which section 3 of the National Insurance (Isle of Man) (Old persons' pensions) Regulations 1970, comes into effect.