1982 No. 374

ULSTER SPECIAL CONSTABULARY PENSIONS

Ulster Special Constabulary Pensions (Amendment) Regulations 1982

Made . . . . . *25th October 1982*

Coming into operation . . . *15th December 1982*

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**) and with Articles 14 and 15 of the Superannuation Order 1972(**e**) hereby makes the following regulations:—

PART I

CITATION, COMMENCEMENT AND INTERPRETATION

Citation, commencement and effect

1. These regulations may be cited as the Ulster Special Constabulary Pensions (Amendment) Regulations 1982 and shall come into operation on 15th December 1982 but shall have effect as from 24th November 1980 except for regulation 4 which shall have effect as from 12th November 1979.

Interpretation

2. In these regulations "the principal regulations" means the Ulster Special Constabulary Pensions Regulations 1950(**f**).

PART II

AMENDMENTS TO THE REGULATIONS OF 1950

Insertion of regulation 32B

3. After regulation 32A there shall be added the following regulation:—

"*Awards not based on pension or notional pension*

32B. The Seventh Schedule shall have effect for the purpose of calculating the amount of certain awards to widows or children under these regulations which are not calculated by reference to the pension or notional pension of the husband or parent.".

(**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. 1972/1073 (N.I. 10)
(**f**) S.R. & O. (N.I.) 1950 No. 97 (p. 617) as amended by S.R. & O. (N.I.) 1965 No. 67; S.R. & O. (N.I.) 1970 No. 143; S.R. & O. (N.I.) 1971 No. 408; and S.R. 1980 No. 102

Application of the Social Security Pensions (Northern Ireland) Order 1975(a)

4.—(1) In regulation 52D after the words "section 2, of that Act" there shall be inserted the words "or Article 69 of the Social Security Pensions (Northern Ireland) Order 1975".

(2) In sub-paragraphs (*b*), (*c*) and (*d*) of the said regulation 52D for the words "that Act", in each place where they occur, there shall be substituted the words "the said Act of 1971".

Widow's ordinary pension

5. For paragraph 1 of Part I of the Second Schedule to the principal regulations there shall be substituted the following provision:—

"**1.** Subject to paragraph 2, the weekly amount of a widow's ordinary pension shall be calculated in accordance with paragraph 1 of the Seventh Schedule by reference to the rank held by her husband at the time when he ceased to be a member.".

Widow's ordinary pension – standard rate

6. For paragraph 3 of Part VIII of the Second Schedule to the principal regulations there shall be substituted the following provision:—

"3. Where in respect of any period the widow so elects, then, subject to paragraph 4, the weekly amount of her ordinary pension in respect of that period shall be calculated in accordance with paragraph 1 of the Seventh Schedule by reference to the rank held by her husband at the time when he ceased to be a member.".

Child's ordinary allowance

7. In Part I of the Third Schedule to the principal regulations for paragraphs 1 and 2 there shall be substituted the following provisions:—

"1. Subject as hereafter in this Schedule provided, a child's ordinary allowance shall be the weekly amount calculated in accordance with paragraph 2 of the Seventh Schedule by reference to the rank which the relevant parent held at the time when he ceased to be a member.

2. Where both parents of the child are dead at the time when the allowance became payable, the child's ordinary allowance shall be the weekly amount calculated in accordance with paragraph 3 of the Seventh Schedule by reference to the rank which the parent in respect of whose death the allowance is payable held at the time when he ceased to be a member.".

Special provisions about awards not based on pension or notional pension

8. After the Sixth Schedule to the principal regulations there shall be inserted the following provisions:—

"SEVENTH SCHEDULE

SPECIAL PROVISIONS ABOUT AWARDS NOT BASED ON PENSION OR NOTIONAL PENSION

1.—(1) In any week the amount of a widow's pension under paragraph 1 of Part I of the Second Schedule or paragraph 3 of Part VIII of that Schedule shall be the appropriate sum specified in sub-paragraph (2) increased in accordance with paragraph 4.

(a) S.I. 1975/1503 (N.I. 15) as amended by Article 10 of the Social Security (Northern Ireland) Order 1979 (S.I. 1979/396 (N.I. 5))