1972. No. 15 **[C]**

ROYAL ULSTER CONSTABULARY RESERVE

Pensions

REGULATIONS, DATED 11TH JANUARY 1972, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 26 OF THE POLICE ACT (NORTHERN IRELAND) 1970.

The Ministry of Home Affairs in exercise of the powers conferred on it by section 26 of the Police Act (Northern Ireland) 1970(**a**) and of all other powers enabling it in that behalf and after consulting the Police Authority and the Police Association hereby makes the following Regulations:—

Citation

1. These Regulations may be cited as the Royal Ulster Constabulary Reserve (Pensions) Regulations 1972.

Interpretation

2.—(1) In these Regulations the expression "the Schedule" means the Schedule to the Royal Ulster Constabulary Pensions Order 1949(**b**).

(2) Paragraphs 1(2), 57(4)(*b*), 57(4A), 57(8) and 57(9) of the Schedule shall apply for the purposes of these Regulations as they apply for the purposes of the Schedule.

(3) For the purposes of these Regulations a reference to an injury received by a person in the execution of his duty as a reserve constable shall include a reference to any injury received while on duty or while on a journey necessary to enable him to report for duty or to return home after duty.

(4) For the purposes of these Regulations a reference to a reserve constable is a reference to a reserve constable appointed under section 9 of the Police Act (Northern Ireland) 1970 and, except where the context otherwise requires, includes a reference to a person who has been a reserve constable.

Reserve constable's supplemental pension

3.—(1) This Regulation shall apply to a person who ceases to hold the office of reserve constable and is permanently disabled from following his ordinary employment as a result of an injury received in the execution of his duty as a reserve constable which is not wholly or mainly due to his own serious and culpable negligence or misconduct.

(2) Subject to the provisions of these Regulations, a person to whom this Regulation applies shall be entitled to a supplemental pension and paragraphs 6, 38 and 40 of the Schedule shall apply as if he had been a member of the Royal Ulster Constabulary at the time that he received the injury.

(a) 1970. c. 9 (N.I.). (b) S.R. & O. (N.I.) 1949, No. 211.

Widow's special pension

4.—(1) This Regulation shall apply to a widow of a reserve constable who dies as the result of an injury received in the execution of his duty as a reserve constable which is not wholly or mainly due to his own serious and culpable negligence or misconduct.

(2) Subject to the provisions of these Regulations, a widow to whom this Regulation applies shall be entitled to a special pension and paragraphs 13, 14(1), 18, 19 and 20 of the Schedule shall apply as if her husband had been a member of the Royal Ulster Constabulary at the time that he received the injury.

Widow's augmented award

5.—(1) This Regulation shall apply to a widow of a reserve constable whose death is the result of an injury received in the execution of his duty as a reserve constable which is not wholly or mainly due to his own serious and culpable negligence or misconduct where, subject to paragraph (4), one of the following conditions is satisfied, namely that—

(*a*) he was attacked by a person or persons in a manner which was intrinsically likely to cause death, or

(*b*) the injury was received in the course of duties performed for the immediate purpose of effecting an arrest or of preventing an escape or rescue from legal custody, or

(*c*) the injury was received in the course of duties performed—

(i) for the immediate purpose of saving the life of another person or of preventing loss of human life, and

(ii) in circumstances in which there was an intrinsic likelihood of his receiving a fatal injury, or

(*d*) the Ministry are of the opinion that one of the preceding conditions may be satisfied, and that this Regulation should apply, or

(*e*) the Ministry are of the opinion that the injury was received otherwise than as aforesaid but in the course of duties performed in such circumstances that it would be inequitable if there were not payable in respect of him such an award as would have been payable had one of the conditions specified in sub-paragraphs (*a*), (*b*) and (*c*) been satisfied.

(2) For the purpose of calculating a widow's special pension payable to a widow to whom this Regulation applies, paragraph 13 of the Schedule (as applied by Regulation 4) shall have effect subject to the provisions of paragraphs 13A(1) and (2) of the Schedule.

(3) Subject to the provisions of these Regulations, a widow to whom this Regulation applies shall be entitled to a gratuity in addition to a special pension and paragraphs 13A(1), (3) and (4) and 18, 19 and 20 of the Schedule shall apply as if her husband, at the time that he received the injury, had been serving as a member of the Royal Ulster Constabulary.

Child's special allowance

6.—(1) This Regulation shall apply to a child of a reserve constable who dies as the result of an injury received in the execution of his duty as a reserve constable which is not wholly or mainly due to his own serious and culpable negligence or misconduct.