1964. No. 48 **[C]**

ROYAL ULSTER CONSTABULARY

Pensions

ORDER, DATED 18TH MARCH, 1964, MADE BY THE MINISTER OF HOME AFFAIRS WITH THE CONCURRENCE OF THE MINISTER OF FINANCE UNDER THE CONSTABULARY AND POLICE (IRELAND) ACT 1919, AS APPLIED BY THE CONSTABULARY ACT (NORTHERN IRELAND) 1922, AND THE CONSTABULARY (PENSIONS) ACT (NORTHERN IRELAND) 1949.

I, the Right Honourable William Craig, Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section 2 of the Constabulary Act (Northern Ireland) 1922(**a**), section 4 of the Constabulary and Police (Ireland) Act 1919(**b**), as applied by the said Act of 1922, and by the Constabulary (Pensions) Act (Northern Ireland) 1949(**c**), and of all other powers enabling me in that behalf, do hereby order as follows:—

Citation

1. This Order may be cited as the Royal Ulster Constabulary Pensions (Amending) Order 1964, and shall be construed as one with the Royal Ulster Constabulary Pensions Orders 1949 to 1963, and those Orders and this Order may be cited together as the Royal Ulster Constabulary Pensions Orders 1949 to 1964.

Commencement

2.—(1) This Order, except Articles 5 and 6, shall have effect from 30th March, 1964.

(2) Articles 5 and 6 shall have effect from 1st August, 1963.

Certificate

3. I certify that section 4(2) of the Constabulary and Police (Ireland) Act 1919, which as applied by the Constabulary Act (Northern Ireland) 1922, provides that a draft of any Order proposed to be made under the said section shall be submitted to the Representative Body or Bodies constituted by that Act and representing any rank or ranks affected, and that before the Order is made the Minister of Home Affairs shall consider any representations made by such Body or Bodies, has been fully observed.

Interpretation

4.—(1) In this Order, unless the contrary intention appears, a reference to a paragraph shall be interpreted as a reference to a paragraph in the Schedule to the Royal Ulster Constabulary Pensions Order 1949(**d**), and a reference to an Appendix shall be interpreted as a reference to an Appendix to the said Schedule.

(2) In this Order the expressions "1957 Order(**e**)" and "1963 Order(**f**)" mean in each case the Royal Ulster Constabulary Pensions (Amending) Order made in the year mentioned.

(a) 12 & 13 Geo. 5. c. 8 (N.I.).
(b) 9 & 10 Geo. 5. c. 68.
(c) 1949. c. 9.
(d) S.R. & O. (N.I.) 1949, No. 211.
(e) S.R. & O. (N.I.) 1957, No. 214.
(f) S.R. & O. (N.I.) 1963, No 64.

AMENDMENTS OF THE SCHEDULE

5. For paragraph 17(1) (which relates to awards to widows where the entitlement arose before 5th July, 1948) there shall be substituted the following:—

"**17.**—(1) Subject to paragraph 20—

(*a*) nothing in this Order shall affect any widow's pension or gratuity granted under the Royal Ulster Constabulary Pensions Orders; and

(*b*) where immediately before 5th July, 1948, a widow was entitled to such a pension or gratuity she shall continue to be so entitled in all respects as if this Order had not come into force:

Provided that such a pension shall in each case be that provided for in the said Orders without taking into account, except in the manner hereinafter specified, any increase under the Pensions (Increase) Acts (Northern Ireland) 1944(**a**) and 1947(**b**)."

6. After paragraph 20(3) as set out in Article 18 of the 1963 Order (which relates to the conditions governing a widow's pension on her remarriage and again becoming a widow or that marriage being dissolved) there shall be added the following:—

"(4) This paragraph shall apply, in place of paragraph 18 of the First Schedule to the Royal Ulster Constabulary Pensions Order 1923(**c**), to a widow's pension granted under the Royal Ulster Constabulary Pensions Orders."

7. For paragraph 26 as set out in Article 27 of the 1957 Order (which relates to the duration of a child's allowance) there shall be substituted the following paragraph:

"**26.** A child's allowance shall be payable up to the time when the child attains the age of nineteen years:

Provided that the allowance shall not be payable for any period after the child has attained the age of sixteen years during which he is neither undergoing full-time education nor is an apprentice."

8. After paragraph 60 there shall be added the following paragraph:—

"**61.** No payment shall be made under this Order on account of a widow's pension or child's allowance for a period before an amendment to this Order took effect save in so far as the said payment would have been so made had the amendment in question not been made."

9. For Part IX of Appendix II, as set out in Article 27 of the 1963 Order (which relates to the extent to which certain national insurance benefits are to be taken into account in calculating a widow's pension), there shall be substituted the following Part:—

PART IX

COMPUTATION OF WIDOW'S BENEFIT AND RETIREMENT PENSIONS

1.—(1) For the purposes of Parts I, III and VII of this Appendix—

(*a*) where a widow is entitled under the National Insurance Act (Northern Ireland) 1946(**d**) to a widow's allowance or retirement pension which is increased under section 22 of the said Act, that allowance or pension shall be deemed not to have been so increased;

(a) 1944. c. 19.
(b) 1947. c. 4.
(c) S.R. & O. (N.I.) 1923, No. 29.
(d) 1946. c. 23.