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FIRE OFFICERS AND FIREMEN: PENSIONS

ORDER, DATED 3RD DECEMBER, 1955, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SUB-SECTIONS (1) AND (3) OF SECTION TEN OF THE FIRE SERVICES (AMENDMENT) ACT (NORTHERN IRELAND), 1950, AND SECTIONS FORTY-TWO AND FORTY-FOUR OF THE RESERVE AND AUXILIARY FORCES (PROTECTION OF CIVIL INTERESTS) ACT, 1951.

1955. No. 181. **[C]**

The Ministry of Home Affairs, by virtue and in exercise of the powers conferred upon it by sub-sections (1) and (3) of section ten of the Fire Services (Amendment) Act (Northern Ireland), 1950(**a**), and by sections forty-two and forty-four of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951(**b**), and of every other power thereunto enabling it, hereby makes the following Order, that is to say:—

1. The provisions of the Royal Ulster Constabulary Pensions Order, 1949(**c**), contained in the Schedule thereto, as amended by the Royal Ulster Constabulary Pensions (Amending) Order, 1950(**d**), by the Royal Ulster Constabulary Pensions (Amending) Order, 1952(**e**), by the Royal Ulster Constabulary Pensions (Amending) Order, 1953(**f**), by the Royal Ulster Constabulary Pensions (Amending) Order, 1954(**g**), by the Royal Ulster Constabulary Pensions (Amending) (No. 2) Order, 1954(**h**), and by the Royal Ulster Constabulary Pensions (Amending) Order, 1955(**i**), shall, as set out in the Schedule hereto and subject to the exceptions and modifications therein specified, apply to the fire officers and firemen employed in a whole-time capacity by the Northern Ireland Fire Authority.

2. This Order may be cited as the Fire Services (Fire Officers and Firemen) Pensions Order (Northern Ireland), 1955, and shall, save as may otherwise be provided in the Schedule hereto, have effect from 1st October, 1952.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 3rd day of December, Nineteen hundred and fifty-five in the presence of

(L.S.)

R. F. R. Dunbar,
Assistant Secretary.

(**a**) 1950, c. 4.
(**b**) 14 and 15 Geo. 6. c. 65.
(**c**) S.R. & O. (N.I.), 1949 No. 211.
(**d**) S.R. & O. (N.I.), 1950 No. 172.
(**e**) S.R. & O. (N.I.), 1952 No. 89.
(**f**) S.R. & O. (N.I.), 1953 No. 156.
(**g**) S.R. & O. (N.I.), 1954 No. 98.
(**h**) S.R. & O. (N.I.), 1954 No. 118.
(**i**) S.R. & O. (N.I.), 1955 No. 115.

SCHEDULE REFERRED TO IN THE FOREGOING ORDER

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SCHEDULE

EXTENT OF APPLICATION OF THE PROVISIONS OF THE SCHEDULE TO THE ROYAL ULSTER CONSTABULARY PENSIONS ORDER, 1949, AS AMENDED

PART I

GENERAL

Paragraph 1. Applied with modification as follows:—

Entitlement to award

1.—(1) Subject to the provisions of this Schedule, every member of the fire force of the Northern Ireland Fire Authority employed in a whole-time capacity (hereafter in this Schedule referred to as "member") shall, on retiring from that fire force (hereafter in this Schedule referred to as "the force"), be entitled to an award under this Schedule.

(2) Subject to the provisions of this Schedule, every member who is permanently disabled as the result of any injury or disease whether of body or mind (hereafter in this Schedule referred to as "an injury") received in the execution of his duty as a fireman without his own default shall be entitled to an award under this Schedule on retiring from the force or, where he has retired before becoming disabled, on the date when he becomes so disabled, which, if it cannot be ascertained, shall be taken to be the date when the claim that he is disabled is first made known to the Authority.

(3) The widow of a man who has been a member shall, in the circumstances specified in this Schedule, be entitled to an award.

(4) The child, step-child, illegitimate child or adopted child (hereafter in this Schedule referred to as the "child") of a person who has been a member shall be entitled on the death of that person to an award in the circumstances specified in this Schedule:

Provided that this sub-paragraph shall apply to a step-child, illegitimate child or adopted child only if he was dependent to a substantial extent on the said person at the time of the death.

Paragraph 2. Applied with modification as follows:—

Duration, amount and payment of awards

2.—(1) A pension shall be for life unless it is varied, suspended, terminated or withdrawn under this Schedule.

(2) The amount of a pension payable to a person who has been a member shall, in the manner hereafter provided, be calculated with reference to his average pensionable pay and shall be payable in respect of each year after his retirement.

(3) A pension to a widow or an allowance to a child shall be of such amount as is hereafter provided and shall be payable in respect of each week.

PART II

AWARDS ON RETIREMENT AND DISABLEMENT

Paragraph 3. Applied with modification as follows:—

Member's ordinary pension

3.—(1) Subject to the provisions of this Schedule, where a member who is entitled to reckon twenty-five years' pensionable service retires from the force the award shall be an ordinary pension.

(2) The amount of an ordinary pension shall be determined in accordance with Parts IA and III of Appendix I.

(3) This paragraph shall not apply where—

(*a*) a fire officer holding a rank higher than that of Assistant Divisional Officer retires without the consent of the Authority before he has attained the age of sixty, or

(*b*) a member has not given to the Authority one month's written notice or such shorter notice as the Authority may accept of his intention to retire,

unless—

(i) he is required to retire under the provisions of any Regulations for the time being in force relating to compulsory retirement on grounds of age, or

(ii) he is required to retire as an alternative to dismissal.

Paragraph 4. Applied with modification as follows:—

Member's ill-health award

4.—(1) Where a member retires from the force on the ground that he is permanently disabled the award shall be an ill-health award which—

(*a*) if at the time when he so retires either—

(i) he is entitled to reckon ten years' pensionable service, or

(ii) his disablement is the result of an injury received in the execution of his duty,

shall be a pension (hereafter in this Schedule referred to as an "ill-health pension"), and

(*b*) in other cases, shall be a gratuity.

(2) The amount of the said pension or gratuity shall be determined in accordance with Parts IIA and III of Appendix I.

Paragraph 5. Applied with modification as follows:—

Member's short service award

5.—(1) Where a member is required to retire under the provisions of any Regulations for the time being in force relating to compulsory retirement on grounds of age the award shall, unless paragraph 3 applies, be a short service award.