ROYAL ULSTER CONSTABULARY

Pensions

ORDER, DATED 10TH DECEMBER, 1953, MADE BY THE MINISTER OF HOME AFFAIRS 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.

1953. No. 156

I, THE RIGHT HONOURABLE GEORGE BOYLE HANNA, Q.C., 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, Section 4 of the Constabulary and Police (Ireland) Act, 1919, as applied by the said Act of 1922 and by the Constabulary (Pensions) Act (Northern Ireland), 1949, and of all other powers enabling me in that behalf, do hereby order as follows :—

1. In sub-paragraph (2A) of paragraph 11 of the Schedule to the Royal Ulster Constabulary Pensions Order, 1949, for the word " January " there shall be substituted the word " October ", and for the words " 31st December, 1951 " where they occur there shall be substituted the words " 30th September, 1952 ".

2. For sub-paragraphs (3) and (3A) of paragraph 12 of the said Schedule there shall be substituted the following sub-paragraph :—

" (3) A pension increased under this paragraph, including such a pension increased before the first day of October, 1952, shall be payable at a rate increased by forty-two shillings and sixpence a week for the first thirteen weeks that the pension is payable and thereafter during the periods and in the conditions set out in Part II of Appendix II by thirty-two shillings and sixpence a week : "

3. In sub-paragraph (2) of paragraph 13 of the said Schedule for the word " January " there shall be substituted the word " October ".

4.—(1) In sub-paragraph (2) of paragraph 13A of the said Schedule after the words " in their discretion " there shall be inserted the words " from time to time ".

(2) In sub-paragraph (4) of the said paragraph 13A after the words " sub-paragraph (5) " there shall be inserted the words " and sub-paragraph (5A) ", for the words " thirty-six shillings " there shall be substituted the words " forty-two shillings and sixpence " and for the words " twenty-six shillings " there shall be substituted the words " thirty-two shillings and sixpence ".

(3) Sub-paragraph (5) of the said paragraph 13A shall be omitted.

5.—(1) In sub-paragraph (2) of paragraph 17 of the said Schedule for the words " sub-paragraph (5) " there shall be substituted the words " sub-paragraphs (5) and (5A) and where the pension is calculated otherwise than by reference to annual pay, sub-paragraph (5B) ".

(2) In sub-paragraph (6) of the said paragraph 17 for the words " twenty-six shillings " there shall be substituted the words " thirty-two shillings and sixpence ".

(3) For sub-paragraph (8) of the said paragraph 17 there shall be substituted the following paragraph :—

" (8) Where a widow is in receipt of a pension increased or granted under the foregoing provisions of this paragraph before the first day of October, 1952, then during the periods that the pension so increased or granted is payable, the pension shall be further increased or increased up to the rate of thirty-two shillings and sixpence a week."

6. In sub-paragraph (1) of paragraph 21 of the said Schedule after the words " child's ordinary allowance " there shall be inserted the words " and such allowance, including an allowance granted before 1st October, 1952, shall be " ; for the words " period after the 30th June, 1949 ", there shall be substituted the words " period after the 30th September, 1952 " ; and after the words " date the allowance " there shall be inserted the words " including such an allowance granted before 1st October, 1952 ".

7.—(1) In paragraph 22 of the said Schedule the words " determined in accordance with Part II of Appendix III " shall be omitted.

(2) At the end of the said paragraph 22 there shall be added the following sub-paragraph :—

" (2) A child's special allowance, including such an allowance granted before the first day of October, 1952, shall be determined in accordance with Part II of Appendix III."

8. In sub-paragraph (1) of paragraph 23 of the said Schedule for the words " 30th June, 1949 ", there shall be substituted the words " 30th September, 1952 ".

9. In sub-paragraph (2) of paragraph 27 of the said Schedule for the words " sub-paragraph (5) " there shall be substituted the words " sub-paragraphs (5) and (5A) and where the allowance is calculated otherwise than by reference to annual pay sub-paragraph (5B) " and in sub-paragraph (7) of the said paragraph for the word " January " there shall be substituted the word " October ".

10.—(1) In sub-paragraph (3) of paragraph 57 of the said Schedule after the word " Britain " there shall be inserted the words " or to the Ulster Special Constabulary ".

(2) At the end of sub-paragraph (4) of the said paragraph there shall be inserted the following sub-paragraph :—

" (4A) A reference in this Schedule to a person being in receipt of a pension includes a reference to a person who would be in receipt of a pension but for the provisions of paragraphs 39 or 41."

(3) At the end of sub-paragraph (5) of the said paragraph there shall be inserted the following :—

" In calculating, for the purposes of this sub-paragraph, the means of the person concerned, any increase in accordance with the provisions of sub-paragraph (5A) shall be disregarded."

(4) After the said sub-paragraph (5) there shall be inserted the following sub-paragraphs :—

" (5A) Where it is provided in this Schedule that an amount shall be increased in accordance with this sub-paragraph, it shall be increased by the amount by which a pension of the amount first mentioned would be increased if —

(i) the person concerned were in receipt of such a pension,

(ii) that pension were specified in Part I of the First Schedule to the Pensions (Increase) Act (Northern Ireland), 1952, and

(iii) any increase in the first mentioned amount in accordance with the provisions of sub-paragraph (5) were an increase granted under the Pensions (Increase) Acts (Northern Ireland), 1944 and 1947."

" (5B) Where it is provided in this Schedule that an amount shall be increased in accordance with the provisions of sub-paragraph (5A) and of this sub-paragraph, the pension or allowance shall be deemed to begin for the purposes of sub-paragraph (5A) and the Pensions (Increase) Act (Northern Ireland), 1952, before the first day of April, 1948."

" (5C) For the purposes of sub-paragraph (5A) any reference in the Second Schedule to the Pensions (Increase) Act (Northern Ireland), 1952, to —

(*a*) a relevant pension shall be construed as including a reference to an award of an amount which this Schedule provides shall be increased in accordance with the provisions of the said sub-paragraph,

(*b*) the rate of the relevant pension shall be construed as including a reference to the rate of such an award ignoring any increase in accordance with the provisions of the said sub-paragraph, and

(*c*) the authorised increase shall be construed as including a reference to the increase in accordance with the provisions of the said sub-paragraph."