

1975 No. 65

ULSTER SPECIAL CONSTABULARY

Pensions

Ulster Special Constabulary Pensions (Amendment)

Regulations 1975

Made 18th March 1975

Coming into operation 28th April 1975

The Secretary of State(a) in pursuance of section 33(2) of the Police Act (Northern Ireland) 1970(b) read with Article 15 of the Superannuation (Northern Ireland) Order 1972(c) hereby makes the following regulations:

Citation, operation, etc.

1. These regulations may be cited as the Ulster Special Constabulary Pensions (Amendment) Regulations 1975.

2. These regulations shall come into operation on 28th April 1975 and shall have effect—

(a) for the purposes of regulations 3 and 4, as from 1st January 1974;

(b) for the purposes of regulation 5, as from 1st April 1974; and

(c) for the purpose of regulations 6 and 7, as from 1st December 1974.

Amendments of the Ulster Special Constabulary Pensions Regulations 1950

3. In Part XA of the Ulster Special Constabulary Pensions Regulations 1950(d) (application of the Pensions (Increase) Act (Northern Ireland) 1971), as set out in the Schedule to the Ulster Special Constabulary Pensions (Amending) (No. 2) Regulations 1971(e), at the end of regulation 52D there shall be added the following proviso:

“Provided that in relation to any period beginning on or after 1st January 1974 this regulation shall have effect as if—

(i) subject to (ii) below, any reference to the Pensions (Increase) Act (Northern Ireland) 1971 or to section 2 or 5(3) of that Act were a reference to the Pensions (Increase) Act 1971 or to section 2 or 5(3) thereof, respectively; and

(ii) the reference to paragraph 4 of Schedule 2 to the Pensions (Increase) Act (Northern Ireland) 1971 were a reference to paragraph 1 of the Schedule to the Pensions Increase (Northern Ireland Reserved Services) Regulations 1974(f).”

(a) Formerly the Minister of Home Affairs for Northern Ireland; see S.I. 1973/2163.

(b) 1970. c. 9 (N.I.).

(c) S.I. 1972/1073 (N.I. 10)

(d) S.R. & O. (N.I.) 1950, No. 97 (p. 1646)

(e) S.R. & O. (N.I.) 1971, No. 408 (p. 1802)

(f) S.I. 1974/1741

4. At the end of paragraph 52F in the said Part XA there shall be added the following proviso:

"Provided that in relation to any period beginning on or after 1st January 1974 this Regulation shall have effect as if the references to the Pensions (Increase) Act (Northern Ireland) 1971 and to section 3(3) of that Act were references to the Pensions (Increase) Act 1971 and to section 3(3) thereof, respectively."

5. Regulation 27(2) of the said Regulations of 1950 and Part IV of the Third Schedule to those regulations, as amended by the Ulster Special Constabulary Pensions (Amending) Regulations 1971(g) (reduction in child's allowance), shall be omitted.

6. The Second Schedule to the said Regulations of 1950, as amended by the Ulster Special Constabulary Pensions (Amending) (No. 2) Regulations 1973(h) shall be further amended as follows:

- (a) in both Part I (widow's flat rate ordinary pension) and paragraph 3 of Part VIII (widow's ordinary pension — alternative rate)—
 - (i) for "£5.38" there shall be substituted "£6.27";
 - (ii) for "£4.67" there shall be substituted "£5.44";
 - (iii) for "£3.98" there shall be substituted "£4.64".
- (b) in paragraph 4 of the said Part VIII (increase in alternative rate) for "25p" there shall be substituted "30p".

7. Part I of the Third Schedule to the said Regulations of 1950, as amended by the Ulster Special Constabulary Pensions (Amending) (No. 2) Regulations 1973, shall be further amended as follows:

- (a) in paragraph 1 (child's ordinary allowance—one parent living)—
 - (i) for "£1.64" there shall be substituted "£1.91";
 - (ii) for "£1.42" there shall be substituted "£1.66";
 - (iii) for "£1.30" there shall be substituted "£1.52".
- (b) in paragraph 2 (child's ordinary allowance—both parents dead)—
 - (i) for "£2.70" there shall be substituted "£3.15";
 - (ii) for "£2.31" there shall be substituted "£2.70";
 - (iii) for "£2.00" there shall be substituted "£2.33".

Merlyn Rees

One of Her Majesty's Principal
Secretaries of State

Northern Ireland Office

18th March 1975

EXPLANATORY NOTE

(This note is not part of the regulations but is intended to indicate their general purport.)

The Ulster Special Constabulary Pensions Regulations 1950 contain provision for the increase of widows' pensions and children's allowances by reference to the Northern Ireland Pensions (Increase) Act of 1971. Since 1st January 1974 these pensions have instead, by virtue of the Pensions Increase (Northern Ireland Reserved Services) Regulations 1974, become subject to the Pensions (Increase) Act 1971. Regulations 3 and 4 of the present regulations provide for the increase from 1st January 1974 of the above-named awards by reference to the latter Act.

A child's allowance payable under the Ulster Special Constabulary Pensions Regulations 1950 falls to be reduced in accordance with Part IV of the Third Schedule to those regulations in the circumstances there mentioned where certain national insurance benefits are also payable or a family allowance is payable in respect of the child. Regulation 5 of the present regulations provides that no such reduction shall be made; it has effect as from 1st April 1974.

Regulations 6 and 7 of the present regulations increase by 16.5% the current flat rate pensions and allowances payable to widows and children under the Ulster Special Constabulary Pensions Regulations 1950; the increase follows the 1974 review of public service pensions under the Pensions (Increase) Act 1971 and has effect from the same date (1st December 1974) as that review.

Retrospective effect is authorised by Articles 14 and 15 of the Superannuation (Northern Ireland) Order 1972.