

ULSTER SPECIAL CONSTABULARY

Pensions

REGULATIONS, DATED 18TH AUGUST, 1952, MADE BY THE MINISTER OF HOME AFFAIRS UNDER THE SPECIAL CONSTABLES ACT, 1914, AS EXTENDED AND AMENDED BY THE CONSTABULARY ACT (NORTHERN IRELAND), 1922, AND THE CONSTABULARY (PENSIONS) ACT (NORTHERN IRELAND), 1949.

1952. No. 157

I, THE RIGHT HONOURABLE BRIAN MAGINESS, Q.C., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by the Special Constables Act, 1914, as extended and amended by Section Eight of the Constabulary Act (Northern Ireland), 1922, and by sub-section (4) of Section Four of the Constabulary (Pensions) Act (Northern Ireland), 1949, and of all other powers enabling me in that behalf, do hereby make the following Regulations:—

1. In paragraph (1) of Regulation 14 of the Ulster Special Constabulary Pensions Regulations, 1950, the words "of the amount described in Part I" to the end of the paragraph shall be omitted and at the end of paragraph (2) of the said Regulation there shall be added the following paragraph:—

"(2A) A widow's ordinary pension, including such a pension granted before the 1st January, 1952, shall be of the amount described in Part I of the Second Schedule provided that where the date of the death of the husband is the 6th of April, 1949, or any later date up to and including the 30th June, 1949, the pension in respect of any period after the 31st December, 1951, shall not be of less amount than it would have been if calculated in accordance with Part IA of the Second Schedule and where the date of the death of the husband is the 1st July, 1949, or any later date, the pension in respect of any period after the 31st December, 1951, shall be of the amount described in the said Part IA."

2. At the end of paragraph (3) of Regulation 15 of the said Regulations there shall be inserted the following paragraph:—

"(3A) Where a widow is in receipt of a pension increased under the foregoing provisions of this Regulation, and

- (a) she was on the 1st October, 1951, between the ages of sixty and sixty-five years and in receipt of a pension so increased, or
- (b) she has attained the age of sixty-five years, or
- (c) that pension so increased is payable by virtue of the fact that she would have been entitled as aforesaid to receive widowed mother's allowance under the National Insurance Act (Northern Ireland), 1946,

then the rate of the pension shall be further increased by four shillings a week except during the first thirteen weeks that the pension is payable."

3. For paragraph (2) of Regulation 16 of the said Regulations there shall be substituted the following paragraph :—

" (2) A widow's special pension, including such a pension granted before 1st January, 1952, shall be of the amount described in Part III of the Second Schedule."

4. At the end of paragraph (4) of Regulation 17 of the said Regulations there shall be added the following paragraph :—

" (5) Where a widow is in receipt of a pension increased under the foregoing provisions of this Regulation, and —

- (a) she was on the 1st October, 1951, between the ages of sixty and sixty-five years and in receipt of a pension so increased, or
- (b) she has attained the age of sixty-five years, or
- (c) that pension so increased is payable by virtue of the fact that she would have been entitled as aforesaid to receive widowed mother's allowance under the National Insurance Act (Northern Ireland), 1946,

then the rate of the pension shall be further increased by four shillings a week except during the first thirteen weeks that the pension is payable."

5. At the end of paragraph (7) of Regulation 21 of the said Regulations there shall be added the following paragraph :—

" (8) Where a widow is in receipt of a pension increased or granted under the foregoing provisions of this Regulation, and

- (a) she was on the 1st of October, 1951, between the ages of sixty and sixty-five years and in receipt of a pension so increased or granted, or
- (b) she has attained the age of sixty-five years, or
- (c) that pension so increased or granted is payable by virtue of the fact that she has a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, which includes a child in receipt of an allowance under these Regulations or the Ulster Special Constabulary Pensions Orders,

then the rate of the pension shall be further increased or increased by four shillings a week except during the first thirteen weeks that the pension is payable."

6. In Regulation 27 of the said Regulations after the words " in their discretion " there shall be inserted the words " from time to time ".

7.—(1) In paragraph (4) of Regulation 31 of the said Regulations for the word “manner” there shall be substituted the word “cases”.

(2) In paragraph (5) of the said Regulation for the words “subject to the provisions of” there shall be substituted the words “in the circumstances and cases provided by”.

(3) At the end of paragraph (7) of the said Regulation there shall be added the following paragraph :—

“ (8) An allowance increased or granted under the foregoing provisions of this Regulation, including such an allowance increased or granted before the 1st January, 1952, shall be of the increased amount or of the amount described in Part VI of the Third Schedule.”

8. In Regulation 40 of the said Regulations there shall be omitted the words “with the consent of the Ministry of Finance” and the words “and the Ministry of Finance”.

9. In paragraph (1) of Regulation 41 of the said Regulations there shall be omitted the words “and the Ministry of Finance”.

10. In paragraph (2) of Regulation 41 of the said Regulations for the words from “be abated to the extent” to the end of the said paragraph there shall be substituted the words “be abated to the extent to which the actual amount of these assistance grants exceeds what in the opinion of the Ministry after consultation with the National Assistance Board or the National Assistance Board (Northern Ireland), as the case may be, would have been their amount if the said payments had not fallen into arrears.”

11. In Regulation 42 of the said Regulations there shall be omitted the words “with the consent of the Ministry of Finance”.

12. In paragraph (1) of Regulation 46 of the said Regulations there shall be omitted the words “with the approval of the Ministry of Finance”.

13. At the end of paragraph (3) of Regulation 56 of the said Regulations there shall be added the following paragraph :—

“ (3A) A reference in these Regulations 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 Regulation 41 or Regulation 43.”

14. For paragraph 2 of Part III of the Second Schedule to the said Regulations there shall be substituted the following paragraphs :—

“ 2. If she is entitled under the National Insurance Act (Northern Ireland), 1946, to a widow’s allowance or a retirement pension which

is increased under Section twenty-two of the said Act then for the purposes of this Part of this Schedule that allowance or pension shall be deemed not to have been so increased.

“ 2A. If she is entitled to a widowed mother's allowance under the said Act that Allowance shall for the purposes of this Part of this Schedule be deemed to be less than it is by the amount of seven shillings and sixpence, together with two shillings and sixpence for each child included in her family within the meaning of the Family Allowances Act (Northern Ireland), 1945.”

15. In sub-paragraph (ii) of Part VI of the Second Schedule to the said Regulations for the words “ from the Ministry ” there shall be substituted the words “ under these Regulations or the Ulster Special Constabulary Pensions Orders ”.

16.—(1) In paragraph 2 of Part III and in paragraph 2 of Part IIIA of the Third Schedule to the said Regulations there shall in each case be omitted sub-paragraph (a).

(2) In sub-paragraph (b) of the said paragraphs there shall in each case for the words “ twelve shillings ” be substituted the words “ thirteen shillings and sixpence ”.

(3) At the end of the said paragraphs there shall in each case be added the following paragraph :—

“ 3. Where the parent in respect of whose death the allowance is payable was the child's father and the mother of the child is alive and would have been entitled to receive widow's benefit or a retirement pension under the National Insurance Act (Northern Ireland), 1946, but for the fact that the father had not satisfied the contribution condition set out in paragraph (a) of sub-paragraph (1) of paragraph 4 of the Third Schedule to the said Act then the child's allowance in respect of any week during which —

- (i) the mother is not receiving a retirement pension under the said Act ;
- (ii) the child is included in a family within the meaning of the Family Allowances Act (Northern Ireland), 1945 ;
- (iii) where the allowance is a child's special allowance no allowance is payable under Section twenty-one of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, in respect of that child, and
- (iv) no grant is payable to or in respect of the child out of any naval, military or air force fund in pursuance of any royal warrant or other instrument or under any scheme made under the Personal Injuries (Emergency Provisions) Act, 1939,

may be increased —

- (a) in the case of a child who is the only child included in a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, or that one of those children so included who is older than the others to a rate not exceeding ten shillings a week ;
- (b) in any other case to a rate not exceeding seven shillings and sixpence a week."

17. In paragraph 3 of Part IV of the Third Schedule to the said Regulations after the words " (Northern Ireland), 1946," there shall be inserted the words " at the weekly rate of ten shillings ".

18.—(1) In paragraph 1 of Part VI of the Third Schedule to the said Regulations for the words " seven shillings and sixpence " where they first occur there shall be substituted the words " ten shillings " and for the words " and during which " to the end of the said paragraph there shall be substituted the following words —

" in the case of a child who is the only child included in a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, or that one of the children so included who is older than the others —

- (i) the increase in the amount of the allowance under paragraph (1) of the said Regulation as so ascertained shall be the difference between that amount and ten shillings a week, or
- (ii) the allowance granted under paragraph (5) of the said Regulation shall be ten shillings a week ;

and in the case of any other child included in a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, where that one of the children so included who is older than the others is in receipt of an allowance granted under paragraph (5) of the said Regulation the allowance granted under the said paragraph shall be two shillings and sixpence a week."

(2) In paragraph 2 of the said Part VI for the words " twelve shillings " where they first occur there shall be substituted the words " thirteen shillings and sixpence " and for the words " the Ministry with the consent " to the end of the said paragraph there shall be substituted the following words :—

" in the case of a child who is the only child included in a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, or that one of the children so included who is older than the others —

- (i) the increase in the amount of the allowance under paragraph (1) of the said Regulation as so ascertained shall be the difference between that amount and thirteen shillings and sixpence a week, or

(ii) the allowance granted under paragraph (5) of the said Regulation shall be thirteen shillings and sixpence a week, and in the case of any other child included in a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, the allowance granted under paragraph (5) of the said Regulation shall be eight shillings and sixpence a week."

19. These Regulations shall have effect as from the 1st January, 1952, and may be cited as the Ulster Special Constabulary Pensions (Amending) Regulations, 1952, and shall be construed as one with the Ulster Special Constabulary Pensions Regulations, 1950, and 1951, and those Regulations and these Regulations may be cited together as the Ulster Special Constabulary Pensions Regulations 1950 to 1952.

Dated this 18th day of August, 1952.

Brian Maginness,
Minister of Home Affairs for Northern Ireland.

WAGES COUNCILS

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Aerated Waters Wages Council

THE AERATED WATERS WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION ORDER, 1952, DATED 7TH JANUARY, 1952, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER SECTION 10 OF THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945 (9 & 10 GEO. 6, CH. 21).

1952. No. 6

This Order has been revoked by S.R.O. 1952 No. 222 and is not printed at length in this Volume.