

9. In determining the point at which an existing member shall enter the scale of pay in this Schedule prescribed for his rank, credit shall be given to him for past service in that rank since his latest promotion thereto by reckoning it for purposes of increments.
- 10) Notwithstanding the provisions of Section 2 of the Constabulary and Police (Ireland) Act, 1883, no deduction in respect of barrack accommodation shall be made from the pay prescribed in this Schedule.
11. Where a constable who has resigned from the force subsequently rejoins it, the Inspector General may, if he so thinks fit, allow the period which at the date of his resignation had been credited to him for the purpose of pay to be, in whole or in part, similarly credited to him for purposes of pay on his re-joining the force.
12. Where, within the meaning of the Royal Ulster Constabulary Pensions Order, 1949, a regular policeman in Great Britain has transferred to the force, he shall be entitled to reckon for purposes of pay in the rank in which he joins the force all service in the same rank which at the date of the transfer, he was entitled to reckon for purposes of pay in the force from which he transferred.
13. Where a person who has been a regular policeman in Great Britain, within the meaning of the Royal Ulster Constabulary Pensions Order, 1949, joins the force he shall, if the Ministry in its discretion thinks fit, be entitled to reckon for purposes of pay his period of service in the force in Great Britain.

Pensions

ORDER, DATED 24TH MAY, 1952, 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.

1952. No. 89

I, THE RIGHT HONOURABLE BRIAN MAGINESS, 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 (1) of paragraph 11 of the Schedule to the Royal Ulster Constabulary Pensions Order, 1949, the words " of the amount described in Part I " to the end of the sub-paragraph shall be omitted and at the end of sub-paragraph (2) of the said paragraph there shall be added the following sub-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 Appendix II 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 Appendix

II 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 sub-paragraph (3) of paragraph 12 of the said Schedule there shall be inserted the following sub-paragraph :—

"(3A) Where a widow is in receipt of a pension increased under the foregoing provisions of this paragraph 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 sub-paragraph (2) of paragraph 13 of the said Schedule there shall be substituted the following sub-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 Appendix II.

4. At the end of sub-paragraph (4) of paragraph 13A of the said Schedule there shall be added the following sub-paragraph :—

"(5) Where a widow is in receipt of a pension increased under the foregoing provisions of this paragraph, 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 sub-paragraph (7) of paragraph 17 of the said Schedule there shall be added the following sub-paragraph :—

"(8) Where a widow is in receipt of a pension increased or granted under the foregoing provisions of this paragraph, 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 65 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 this Order or the Royal Ulster 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 paragraph 23 of the said Schedule after the words " in their discretion " there shall be inserted the words " from time to time ".

7.—(1) In sub-paragraph (4) of paragraph 27 of the said Schedule for the word " manner " there shall be substituted the word " cases ".

(2) In sub-paragraph (5) of the said paragraph 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 sub-paragraph (6) of the said paragraph there shall be added the following sub-paragraph :—

" (7) An allowance increased or granted under the foregoing provisions of this paragraph, 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 Appendix III."

8. In sub-paragraph (3) of paragraph 33 of the said Schedule for the words " after 2nd September, 1939," there shall be substituted the words " between 3rd September, 1939, and the 2nd August, 1951, and payment at the rate of 5% of half the actual pay received in respect of the whole-time paid service falling after the 2nd August, 1951, less an amount calculated by multiplying one shilling and twopence by half the number of completed weeks of such service."

9. After sub-paragraph (3) of paragraph 36 of the said Schedule there shall be inserted the following sub-paragraph :—

" (3A) A member who has been a regular policeman in Great Britain and who on the 5th July, 1948, was a person to whom paragraph (3) of Regulation 41 of the Police Pensions Regulations, 1948, or paragraph (3) of Regulation 43 of the Police Pensions (Scotland) Regulations, 1948, applied shall pay pension contributions at the rate specified in sub-paragraph (3) provided that where he gave notice in accordance with the provisions of either paragraph (3) of Regulation 41 of the Police Pensions Regulations, 1948, or paragraph (3) of Regulation 43 of the Police Pensions (Scotland) Regulations, 1948, he shall pay pension contributions at the rate specified in sub-paragraph (1)."

10. In paragraph 38 of the said Schedule there shall be omitted the words "with the consent of the Ministry of Finance" and the words "and the Ministry of Finance".

11. In sub-paragraph (1) of paragraph 39 of the said Schedule there shall be omitted the words "and the Ministry of Finance".

12. In sub-paragraph (2) of paragraph 39 of the said Schedule for the words from "be abated to the extent" to the end of the said sub-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."

13. In paragraph 40 of the said Schedule there shall be omitted the words "with the consent of the Ministry of Finance".

14. In sub-paragraph (1) of paragraph 44 of the said Schedule there shall be omitted the words "with the approval of the Ministry of Finance" and in sub-paragraph (2) of the said paragraph there shall be omitted the words "and the Ministry of Finance" and in sub-paragraph (4) of the said paragraph there shall be omitted the words "with the consent of the Ministry of Finance".

15. In paragraph 4 of Part III of Appendix I to the said Schedule after the word "Schedule" there shall be added the following words:—

"or has paid pension contributions as a regular policeman within the meaning of the Police Pensions Regulations, 1949, or the Police Pensions (Scotland) Regulations, 1949, at the rate specified in paragraph (1) of Regulation 37 of the Police Pensions Regulations, 1949, or at the rate specified in paragraph 1 of Regulation 39 of the Police Pensions (Scotland) Regulations, 1949, or in any provision or provisions substituted therefor."

16. In part I and in Part IA of Appendix II to the said Schedule for paragraph 3 of Scheme II in each case there shall be substituted the following paragraphs:—

"3. 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 Scheme that allowance or pension shall be deemed not to have been so increased.

"4. If she is entitled to a widowed mother's allowance under the said Act that allowance shall for the purposes of this Scheme 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."

17. For paragraph 2 of Part III of Appendix II to the said Schedule 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 Appendix 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 Appendix 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.”

18. In sub-paragraph (ii) of Part VI of Appendix II to the said Schedule for the words “ from the Ministry ” there shall be substituted the words “ under this Order or the Royal Ulster Constabulary Pensions Orders ”.

19.—(1) In paragraph 2 of Part III and in paragraph 2 of Part IIIA of Appendix III to the said Schedule 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.”

20. In paragraph 3 of Part IV of Appendix III to the said Schedule after the words “ (Northern Ireland), 1946,” there shall be inserted the words “ at the weekly rate of ten shillings ”.

21.—(1) In paragraph 1 of Part VI of Appendix III to the said Schedule 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 sub-paragraph (1) of the said paragraph as so ascertained shall be the difference between that amount and ten shillings a week, or
- (ii) the allowance granted under sub-paragraph (5) of the said paragraph 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 sub-paragraph (5) of the said paragraph the allowance granted under the said sub-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 sub-paragraph (1) of the said paragraph as so ascertained shall be the difference between that amount and thirteen shillings and sixpence a week, or.

(ii) the allowance granted under sub-paragraph (5) of the said paragraph 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 sub-paragraph (5) of the said paragraph shall be eight shillings and sixpence a week."

22. I certify that sub-section (2) of Section 4 of the Constabulary and Police (Ireland) Act, 1919, which 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 Ministry of Home Affairs shall consider any representations made by such body or bodies, has been fully observed.

23. This Order shall have effect as from the 1st January, 1952, and may be cited as the Royal Ulster Constabulary Pensions (Amending) Order, 1952, and shall be construed as one with the Royal Ulster Constabulary Pensions Order, 1949, and the Royal Ulster Constabulary Pensions (Amending) Order, 1950, and those Orders and this Order may be cited together as the Royal Ulster Constabulary Pensions Orders, 1949 to 1952.

Dated this 24th day of May, 1952.

Brian Maginness,

Minister of Home Affairs for Northern Ireland.

I, THE RIGHT HONOURABLE J. MAYNARD SINCLAIR, Minister of Finance for Northern Ireland, hereby signify my concurrence in the foregoing Order.

Dated this 30th day of May, 1952.

J. M. Sinclair,

Minister of Finance for Northern Ireland.