

**ROYAL ULSTER CONSTABULARY****Pensions**

ORDER, DATED 23RD OCTOBER, 1957, 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.

1957. No. 214

[C]

I, the Right Honourable W. W. B. Topping, Q.C., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section two of the Constabulary Act (Northern Ireland), 1922, section four 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:—

**PART I**

AMENDMENTS OF THE SCHEDULE TO THE ROYAL ULSTER CONSTABULARY PENSIONS ORDER, 1949, TO TAKE EFFECT FROM AND INCLUDING 1ST APRIL, 1956

1. For sub-paragraph (2A) of paragraph 11 as set out in the Order of 1956 there shall be substituted the following:

“(2A) A widow’s ordinary pension, including such a pension granted before 1st April, 1956, shall be determined in accordance with Part I of Appendix II:

Provided that, where immediately before his death or retirement the husband was paying pension contributions at a rate related to six-and-a-quarter per cent. of his pensionable pay, the pension shall be determined in accordance with Part VIII of Appendix II.”

2.—(1) In sub-paragraph (1) of paragraph 12 as set out in the Order of 1956 for the words “calculated in accordance with Part I or Part IA” there shall be substituted the words “determined in accordance with Part I”.

(2) For sub-paragraph (4) of paragraph 12 there shall be substituted the following sub-paragraph:—

“(4) Where a pension determined in accordance with Scheme II of Part I of Appendix II is increased under this paragraph the increased pension shall not be at a higher rate than it would have been if it had been determined in accordance with Scheme I of the said Part I and increased in accordance with the provisions of this paragraph.”

3. In sub-paragraph (2) of paragraph 13 as set out in the Order of 1955 for the words “25th April, 1955” there shall be substituted the words “1st April, 1956”.

4. In sub-paragraph (4) of paragraph 13A as set out in the Order of 1955 for the words "sub-paragraph (5) and sub-paragraph (5A)" there shall be substituted the words "sub-paragraphs (5), (5A) and (5D)".

5. At the end of paragraph 16 there shall be added—  
“(c) where the entitlement to the pension arises at a date subsequent to that of the death of her husband.”

6.—(1) For sub-paragraph (2) of paragraph 17 as amended by the Order of 1953 there shall be substituted the following sub-paragraph:—

“(2) The amount of any such pension as provided by sub-paragraph (1) shall be increased in accordance with the following sub-paragraphs of paragraph 57:—

(a) sub-paragraph (5);

(b) sub-paragraph (5A), and, where the pension is calculated otherwise than by reference to annual pay, sub-paragraph (5B); and

(c) sub-paragraph (5D).”

(2) At the end of sub-paragraph (5) of paragraph 17 there shall be added the words “and then only during the periods and subject to the conditions set out in Part VI of Appendix II”.

(3) For sub-paragraph (6) of paragraph 17 as set out in the Order of 1955 there shall be substituted the following sub-paragraph:—

“(6) The rate up to which the pension referred to in sub-paragraph (3) may be increased or the rate at which the pension referred to in sub-paragraph (4) may be granted shall be the rate up to which the pension could be increased if it had been awarded under the provisions of paragraph 11 and were increasable under the provisions of paragraph 12:

Provided that if the pension referred to in sub-paragraph (3) is a widow's special pension the references in this sub-paragraph to paragraphs 11 and 12 shall be construed as references to paragraphs 13 and 13A respectively.”

(4) Sub-paragraph (8) of paragraph 17 as set out in the Order of 1955 shall be omitted.

7. In sub-paragraph (1) of paragraph 21 as amended by the Order of 1953 for the words “1st October, 1952”, in both places where they occur, there shall be substituted the words “1st April, 1956”, and for the words “30th September, 1952” there shall be substituted the words “31st March, 1956”.

8. In sub-paragraph (2) of paragraph 22 as set out in the Order of 1953 for the words “first day of October, 1952” there shall be substituted the words “1st April, 1956”.

9. In sub-paragraph (1) of paragraph 23 as set out in the Order of 1955 for the words “24th April, 1955” there shall be substituted the words “31st March, 1956”.

10. For sub-paragraph (2) of paragraph 27 as amended by the Order of 1953 there shall be substituted the following sub-paragraph:—

“(2) The amount of any such allowance as provided by sub-paragraph (1) shall be increased in accordance with the following sub-paragraphs of paragraph 57:—

- (a) sub-paragraph (5);
- (b) sub-paragraph (5A), and, where the allowance is calculated otherwise than by reference to annual pay, sub-paragraph (5B); and
- (c) sub-paragraph (5D).”

11. Sub-paragraph (3A) of paragraph 36 as set out in the Order of 1952 shall be omitted.

12.—(1) In sub-paragraph (5) of paragraph 57 as amended by the Order of 1953 the last sentence shall be omitted.

(2) For sub-paragraph (5D) of paragraph 57 as set out in the Order of 1953 there shall be substituted the following sub-paragraphs:—

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

- (a) the person concerned were in receipt of such a pension; and
- (b) that pension were specified in Part I of the First Schedule to the Pensions (Increase) Act (Northern Ireland), 1956.

(5E) For the purposes of sub-paragraph (5D) any reference in sub-section (1) of section one of the Pensions (Increase) Act (Northern Ireland), 1956, or in the Second Schedule thereto to the thirty-first day of December, 1947, shall be construed as a reference to the first day of July, 1949, and any reference in the said Second Schedule—

- (a) to a relevant pension shall be construed as including a reference to the award of an amount which this Schedule provides shall be increased in accordance with the provisions of the said sub-paragraph;
- (b) to the basic rate of the relevant pension shall be construed as including a reference to the annual rate of such an award, ignoring any increase in accordance with the provisions of the said sub-paragraph; and
- (c) to the authorised increase shall be construed as including a reference to the increase in accordance with the provisions of the said sub-paragraph.”

13.—(1) In Scheme I of Part I of Appendix II as amended by the Order of 1953—

- (a) for the rate of “twenty-six shillings and tenpence a week” there shall be substituted the rate of “thirty-seven shillings and ninepence a week”;

- (b) for the rate of "twenty-three shillings a week" there shall be substituted the rate of "thirty-two shillings and a penny a week"; and
- (c) for the rate of "nineteen shillings and twopence a week" there shall be substituted the rate of "twenty-six shillings and sixpence a week".

(2) In paragraph 2 of Scheme II of the said Part I as amended by the Order of 1953 for the words "(5) and (5A)" there shall be substituted the words "(5), (5A) and (5D)".

(3) At the end of Scheme II of the said Part I there shall be added the following paragraph:—

"5. Where the date of the death of the husband is the 1st July, 1949, or any later date then any reference in paragraph 2 to "annual pensionable pay" shall be construed as a reference to "average pensionable pay."

14. Part IA of Appendix II shall be omitted.

15. In paragraph 1 of Part III of Appendix II as amended by the Order of 1953 for the words "(5) and (5A)", in both places where they occur, there shall be substituted the words "(5), (5A) and (5D)".

16. In paragraph 1 of Part VII of Appendix II as set out in the Order of 1954 after the words "is equal to the amount" there shall be inserted the words "which shall be increased in accordance with the provisions of sub-paragraph (5D) of paragraph 57".

17. In Part VIII of Appendix II as set out in the Order of 1956—

- (a) for the amount "twenty-six shillings and tenpence" there shall be substituted the amount "thirty-seven shillings and ninepence";
- (b) for the amount "twenty-three shillings" there shall be substituted the amount "thirty-two shillings and a penny"; and
- (c) for the amount "nineteen shillings and twopence" there shall be substituted the amount "twenty-six shillings and sixpence".

18.—(1) In paragraph 1 of Part I of Appendix III—

- (a) for the rate of "eight shillings and one penny a week" there shall be substituted the rate of "eight shillings and eightpence a week";
- (b) for the rate of "six shillings and sevenpence a week" there shall be substituted the rate of "seven shillings and a penny a week"; and
- (c) for the rate of "five shillings and fivepence a week" there shall be substituted the rate of "five shillings and tenpence a week".

(2) In paragraph 2 of the said Part I—

- (a) for the rate of “twelve shillings and twopence a week” there shall be substituted the rate of “thirteen shillings and a penny a week”;
- (b) for the rate of “nine shillings and elevenpence a week” there shall be substituted the rate of “ten shillings and eightpence a week”; and
- (c) for the rate of “eight shillings and twopence a week” there shall be substituted the rate of “eight shillings and ninepence a week”.

19.—(1) In paragraph 1 of Part IA of Appendix III as amended by the Order of 1953—

- (a) for the rate of “twelve shillings and eightpence a week” there shall be substituted the rate of “thirteen shillings and threepence a week”;
- (b) for the rate of “eleven shillings a week” there shall be substituted the rate of “eleven shillings and sixpence a week”; and
- (c) for the rate of “ten shillings a week” there shall be substituted the rate of “ten shillings and fivepence a week”.

(2) In paragraph 2 of the said Part IA as amended by the Order of 1953—

- (a) for the rate of “sixteen shillings and eightpence a week” there shall be substituted the rate of “seventeen shillings and sevenpence a week”;
- (b) for the rate of “fourteen shillings and threepence a week” there shall be substituted the rate of “fifteen shillings a week”; and
- (c) for the rate of “twelve shillings and eightpence a week” there shall be substituted the rate of “thirteen shillings and threepence a week”.

20. In paragraphs 1 and 2 of Part II of Appendix III as amended by the Order of 1953 for the words “(5) and (5A)”, in both places where they occur, there shall be substituted the words “(5), (5A) and (5D)”.

21.—(1) In sub-paragraph (a) of paragraph 1 of Part III of Appendix III as amended by the Order of 1953—

- (a) for the rate of “sixteen shillings and twopence a week” there shall be substituted the rate of “seventeen shillings and fourpence a week”;
- (b) for the rate of “thirteen shillings and twopence a week” there shall be substituted the rate of “fourteen shillings and a penny a week”; and
- (c) for the rate of “ten shillings and tenpence a week” there shall be substituted the rate of “eleven shillings and eightpence a week”.

(2) In sub-paragraph (b) of the said paragraph 1 as amended by the Order of 1953 for the words “(5) and (5A)” there shall be substituted the words “(5), (5A) and (5D)”.

22.—(1) In sub-paragraph (a) of paragraph 1 of Part IIIA of Appendix III as amended by the Order of 1953—

- (a) for the rate of “twenty shillings and ninepence a week” there shall be substituted the rate of “twenty-one shillings and elevenpence a week”;
- (b) for the rate of “seventeen shillings and ninepence a week” there shall be substituted the rate of “eighteen shillings and eightpence a week”; and
- (c) for the rate of “fifteen shillings and fivepence a week” there shall be substituted the rate of “sixteen shillings and threepence a week”.

(2) In sub-paragraph (b) of the said paragraph 1 as amended by the Order of 1953 for the words “(5) and (5A)” there shall be substituted the words “(5), (5A) and (5D)”.

## PART II

### AMENDMENTS OF THE SCHEDULE TO THE ROYAL ULSTER CONSTABULARY PENSIONS ORDER, 1949, TO TAKE EFFECT FROM AND INCLUDING 1ST JANUARY, 1957

23. In sub-paragraph (2A) of paragraph 11 as set out in Part I of this Order—

- (a) for the words “1st April, 1956” there shall be substituted the words “1st January, 1957”;
- (b) for the words “Part I” there shall be substituted the words “Parts I and IX”.

24.—(1) In sub-paragraph (1) of paragraph 12 as amended by Part I of this Order for the words “Part I” there shall be substituted the words “Parts I and IX”.

(2) In sub-paragraph (3) of paragraph 12 as set out in the Order of 1955 for the words “25th April, 1955” there shall be substituted the words “1st January, 1957”.

25. For sub-paragraph (2) of paragraph 13 as amended by Part I of this Order there shall be substituted the following sub-paragraph:—

“(2) A widow’s special pension, including such a pension granted before the 1st January, 1957, shall be determined in accordance with Parts III and IX of Appendix II:

Provided that where her husband acting in the execution of his duty as a member is or was attacked by a person or persons in a manner which in the opinion of the Ministry is or was intrinsically likely to cause death and death ensues or ensued as a result of the attack, then the pension shall be determined in accordance with Parts VII and IX of the said Appendix in respect of any week for which the amount of the pension so determined is greater than the amount determined in accordance with the said Parts III and IX.”

26. In sub-paragraph (9) of paragraph 17 as set out in the Order of 1954 for the words “of the amount described in Part VII of Appendix II in respect of any week for which that amount” there shall be substituted the words “determined in accordance

with Parts VII and IX of Appendix II in respect of any week for which the amount of the pension so determined”.

27. For paragraph 26 there shall be substituted the following paragraph:—

“26. A child’s allowance, including an allowance granted before 1st January, 1957, shall be payable up to the time when the child reaches the age of eighteen years;

Provided that the allowance shall not be payable for any period after the child has attained the age of sixteen years during which he is neither undergoing full-time instruction in a school nor is an apprentice.”

28.—(1) For sub-paragraph (3) of paragraph 27 there shall be substituted the following sub-paragraph:—

“(3) An allowance payable in accordance with the provisions of sub-paragraph (1) shall be payable up to the time when the child reaches the age of eighteen years:

Provided that the allowance shall not be payable for any period after the child has reached the age of sixteen years during which he is neither undergoing full-time instruction in a school nor is an apprentice.”

(2) In sub-paragraph (7) of paragraph 27 as set out in the Order of 1955 for the words “25th April, 1955” there shall be substituted the words “1st January, 1957.”

29. After paragraph 30 there shall be inserted the following paragraph:—

*“Conditions for increases in awards*

30A.—(1) Where it is a condition for the increase of a widow’s pension or of a child’s allowance that the widow or, as the case may be, the mother of the child would have been entitled to receive widow’s benefit or a retirement pension under the National Insurance Act (Northern Ireland), 1946, had her husband satisfied the contribution condition set out in paragraph (a) of sub-paragraph (1) of paragraph 4 of the Third Schedule to the said Act, the condition for the said increase shall be treated as satisfied if she would have been so entitled to the benefit or pension under the said Act either as originally enacted or as amended by any subsequent enactment.

(2) Where it is a condition for the payment of an increase in a widow’s pension, or for a widowed mother’s allowance under the National Insurance Act (Northern Ireland), 1946, being deemed less than it is for the purpose of calculating such a pension, that the widow has a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, that condition shall be treated as satisfied if she has a family within the meaning of the said Act either as originally enacted or as amended by any subsequent enactment.

(3) Where it is a condition for the payment of an increase in a child’s allowance that the child is included in a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, or that the child is the only child so included or that one of those children so included who is older

than the others, that condition shall be treated as satisfied if the child is included in a family within the meaning of the said Act either as originally enacted or as amended by any subsequent enactment or, as the case may be, if the child is the only child so included or that one of those children so included who is older than the others."

30. Paragraph 3 of Scheme II in Part I of Appendix II as set out in the Order of 1952 and paragraph 4 of the said Scheme II as set out in the Order of 1955 shall be omitted.

31.—(1) In Part II of Appendix II for the words "ten years" wherever they occur, there shall be substituted the words "three years".

(2) For sub-paragraph (ii) of the said Part II there shall be substituted the following sub-paragraph:—

"(ii) any period during which the widow is either pregnant by her late husband or has a child resident with her who is entitled to an allowance under this Schedule or has a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, which includes a child not resident with her who is entitled to an allowance under this Schedule and, where the child is not included in the family within the meaning of the said Act as originally enacted, to the cost of providing for whom the widow is contributing at the rate of sixteen shillings and sixpence a week or more;"

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

"2. In this Part of this Appendix any reference to a child being entitled to an allowance under this Schedule shall be construed as including a reference to a child who would be in receipt of an allowance but for the provisions of paragraph 23 of the Schedule or of the proviso to paragraph 26 of the Schedule."

32. Paragraph 2 of Part III of Appendix II as set out in the Order of 1952 and Paragraph 2A of the said Part III as set out in the Order of 1955 shall be omitted.

33. For sub-paragraph (ii) of Part VI of Appendix II there shall be substituted the following sub-paragraph:—

"(ii) any period during which the widow has a child resident with her who is entitled to an allowance under this Order or the Royal Ulster Constabulary Pensions Orders or has a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, which includes a child not resident with her who is entitled to an allowance under this Order or the Royal Ulster Constabulary Pensions Orders and, where the child is not included in the family within the meaning of the said Act as originally enacted, to the cost of providing for whom the widow is contributing at the rate of sixteen shillings and sixpence a week or more;"



34. Paragraph 2 of Part VII of Appendix II as set out in the Order of 1954 and paragraph 3 of the said Part VII as set out in the Order of 1955 shall be omitted.

35. After Part VIII of Appendix II as set out in the Order of 1956 there shall be added the following Part:—

“PART IX

*Computation of Widow's Benefit and Retirement Pensions*

For the purposes of Parts I, III and VII of this Appendix—

- (a) where a widow is entitled under the National Insurance Act (Northern Ireland), 1946, to a widow's allowance or retirement pension which is increased under section twenty-two of the said Act, that allowance or pension shall be deemed not to have been so increased;
- (b) where a widow is entitled under the said Act to a widowed mother's allowance by virtue of sub-paragraph (i) of paragraph (b) of sub-section (1) of section sixteen of that Act that allowance shall be deemed to be less than it is by the amount of eight shillings together with eight shillings and sixpence for each child included in her family within the meaning of the Family Allowances Act (Northern Ireland), 1945.”

36.—(1) In sub-paragraph (a) of paragraph 3 of Part III of Appendix III as set out in the Order of 1955 for the words “eleven shillings and sixpence” there shall be substituted the words “sixteen shillings and sixpence”.

(2) In sub-paragraph (b) of paragraph 3 of the said Part III as set out in the Order of 1955 for the words “eight shillings and sixpence” there shall be substituted the words “thirteen shillings and sixpence”.

37.—(1) In sub-paragraph (a) of paragraph 3 of Part IIIA of Appendix III as set out in the Order of 1955 for the words “eleven shillings and sixpence” there shall be substituted the words “sixteen shillings and sixpence.”

(2) After the said sub-paragraph (a) there shall be added the following sub-paragraph:—

“(b) in any other case to a rate not exceeding thirteen shillings and sixpence a week.”

38. In paragraph 1 of Part VI of Appendix III as set out in the Order of 1955—

- (a) for the words “eleven shillings and sixpence”, wherever they occur, there shall be substituted the words “sixteen shillings and sixpence”;
- (b) for the words “three shillings and sixpence” there shall be substituted the words “eight shillings and sixpence”.

PART III

GENERAL

39.—(1) In this Order, unless the contrary intention appears a reference to a paragraph shall be construed as a reference to a

paragraph in the Schedule to the Royal Ulster Constabulary Pensions Order, 1949, and a reference to an Appendix shall be construed as a reference to an Appendix to the said Schedule.

(2) In this Order the expressions "the Order of 1952", "the Order of 1953", "the Order of 1955" and "the Order of 1956" mean in each case the Royal Ulster Constabulary Pensions (Amending) Order made in the year mentioned, and the expression "the Order of 1954" means the Royal Ulster Constabulary Pensions (Amending) Order dated the 18th June, 1954.

40. I certify that sub-section (2) of section four of the Constabulary and Police (Ireland) Act, 1919, which, as applied by the Constabulary Act (Northern Ireland), 1922, 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 Minister of Home Affairs shall consider any representations made by such body or bodies, has been fully observed.

41. This Order shall come into operation on the 31st October, 1957, and shall have effect as from the 1st April, 1956, except Articles 23 to 38 inclusive, which shall have effect as from the 1st January, 1957.

42. This Order may be cited as the Royal Ulster Constabulary Pensions (Amending) Order, 1957, and shall be construed as one with the Royal Ulster Constabulary Pensions Orders, 1949 to 1956, and those Orders and this Order may be cited together as the Royal Ulster Constabulary Pensions Orders, 1949 to 1957.

Dated this 23rd day of October, 1957.

*W. W. B. Topping,*

Minister of Home Affairs for Northern Ireland.

I, the Right Honourable Terence O'Neill, D.L., Minister of Finance for Northern Ireland, hereby signify my concurrence in the foregoing Order.

Dated this 28th day of October, 1957.

*Terence O'Neill,*

Minister of Finance for Northern Ireland.