METROPOLITAN POLICE DISTRICT

PENSION

The Metropolitan Police Staffs Superannuation Order, 1949

1949 No. 2193

Made - - - - 24*th November*, 1949
Coming into Operation 28*th November*, 1949

Whereas under the Metropolitan Police Staff (Superannuation) Acts, 1875 to 1931, both as originally enacted and as applied by section five of the Metropolitan Police Courts Act, 1897(**a**), and as extended by the Superannuation (Various Services) Act, 1938(**b**), and the Superannuation Act, 1949(**c**), the Secretary of State is authorised to make by Order regulations respecting the grant to officers to whom those Acts apply and to their legal personal representatives, widows, widowers, children and dependants, of superannuation allowances, compensations, gratuities or other allowances on the like principles and conditions as are for the time being in force with respect to persons in the civil service of the State:

Now, therefore, I, the Right Honourable James Chuter Ede, one of His Majesty's Principal Secretaries of State, in pursuance of the said Acts, do, by this Order, make the following regulations:—

PART I

PENSIONS TO WIDOWS, CHILDREN, ETC.

1.—(1) Subject as provided in this Article, the following provisions of Part I of the Superannuation Act, 1949 (which Part relates to pensions to widows, children, etc.), that is to say, sections one to nine, and sections thirteen and fourteen, and the provisions of the First and Second Schedules to the said Act in so far as they apply in relation to the said first-mentioned provisions, shall, subject to the adaptations set out in Parts I and II of the Schedule to this Order, apply as if they were herein set out to all male persons who were employed in pensionable police service on the fourteenth day of July, 1949, or have been, or are, so employed at any time thereafter, and the said provisions of the said Act adapted as aforesaid are hereafter in this Order referred to as " the Part I provisions ".

(2) Paragraph (1) of this Article shall have effect as from the fourteenth day of July, 1949.

(3) A male person who was employed in pensionable police service on the fourteenth day of July, 1949, and had a wife on the said day may, within the six months next following the date on which this Order comes into operation, elect that the Part I provisions shall not apply and shall be deemed never to have applied to him.

(4) A male person who was employed in pensionable police service on the fourteenth day of July, 1949, and had no wife on the said day may, within the six months next following the date on which he marries or first marries thereafter or on which this Order comes into operation, whichever is the later, elect that the Part I provisions shall not apply and shall be deemed never to have applied to him:

(**a**) 60 & 61 Vict. c. 26. (**b**) 1 & 2 Geo. 6. c. 13.
(**c**) 12, 13 & 14 Geo. 6. c. 44.

Provided that a person shall not make an election under this paragraph if he has already elected to make periodical contributions within the meaning of the Part I provisions.

(5) Where—

(*a*) a person who was on the fourteenth day of July, 1949, employed in non-pensionable or part-time police service thereafter has become or becomes employed in pensionable police service; and

(*b*) any of his said non-pensionable service is reckonable service, whether as to the whole or as to any part thereof,

the provisions of the last two preceding paragraphs shall apply in relation to him as they apply in relation to a person who was on the fourteenth day of July, 1949, employed in pensionable police service, but as if for the references therein to the fourteenth day of July, 1949, there were substituted references to the date when he became or becomes employed in pensionable police service.

(6) Where—

(*a*) a person has elected under this Article that the Part I provisions shall not apply and shall be deemed never to have applied to him; and

(*b*) his marriage comes to an end; and

(*c*) he again marries,

he may, before the expiration of six months from the date of the marriage referred to in sub-paragraph (*c*) of this paragraph, give a notice cancelling that election.

2.—(1) A male person who was employed in pensionable police service before the fourteenth day of July, 1949, but had before that date ceased to be so employed, may, if either—

(*a*) he was employed in pensionable police service at some time on or after the eighth day of May, 1945; or

(*b*) before the fourteenth day of July, 1949, and after ceasing to be employed in pensionable police service, he was employed in non-pensionable police service his employment in which either—

(i) included at least six months of continuous service beginning on or after the said eighth day of May; or

(ii) followed immediately upon his employment in pensionable police service, was in the post which he last held in employment in pensionable police service or in a similar post, and included, and was continuous until, the said eighth day of May,

elect, within the six months next following the date on which this Order comes into operation, that the Part I provisions shall apply to him:

Provided that a person may not make an election under this Article unless he was married when he ceased to be employed in pensionable police service and his wife is still living when he makes the election.

(2) A person who makes an election under this Article shall be liable to make the same contribution under the Part I provisions as would have fallen to be made by him under section nine of the said provisions if this Order had been made and in operation before he ceased to be employed in pensionable police service and the Part I provisions had applied to him, and, if he has already been paid his additional allowance or there is no additional allowance payable in his case, he shall pay the amount of that contribution to the Metropolitan Police Fund not later than twelve months from the date of the election.

(3) If any amount payable to the Metropolitan Police Fund under paragraph (2) of this Article is not paid in full within the twelve months next

following the election and the person who should have paid it is still living at the end of the said twelve months, the election shall be ineffective.

(4) If any amount falls to be paid under paragraph (2) of this Article and the person by whom it is to be paid dies within the twelve months next following the date of the election without having paid the whole of that amount,—

(*a*) no further payments shall be made under that paragraph ; and

(*b*) any widow's pension or children's pension which may be payable under the Part I provisions in respect of his service shall be reduced so as to bear to the full amount thereof the same proportion as the amount paid under the said paragraph (2) bears to the full amount which fell to be paid thereunder ; and

(*c*) the election shall be ineffective unless either a widow's pension or a children's pension can under the Part I provisions be paid in respect of his service at a rate equal to at least six pounds ten shillings per annum.

(5) Where an election is ineffective under paragraph (3) or paragraph (4) of this Article, so much of the amount payable under paragraph (2) of this Article as has already been paid shall be re-paid.

3.—(1) A woman employed in pensionable police service who has a husband may, on proof to the satisfaction of the Secretary of State that her husband is wholly or mainly dependent on her, elect that the Part I provisions shall apply to her.

(2) A woman who has a husband and was employed in pensionable police service before the coming into operation of this Order but had by then ceased to be so employed may, on proof to the satisfaction of the Secretary of State that her husband is, and, when she was last employed in pensionable police service, was, wholly or mainly dependent on her, have the same right to elect that the Part I provisions shall apply to her as she would have had under the last preceding Article if she had been a man whose wife was still living, and all the provisions of that Article shall apply to her accordingly.

(3) Where the Part I provisions apply to a woman by reason of an election under this Article, all the provisions of the Superannuation Act, 1949(a) (including the Part I provisions), as applied and adapted by this Order shall apply in relation to her as if references therein to a male person who is or was employed in pensionable police service included references to her, and as if any reference to the wife or widow of such a person included a reference to her husband or her widower:

Provided that—

(i) where she leaves a widower, the Secretary of State may, if he thinks fit, direct that subsection (2) of section five of the Part I provisions shall apply to any children's pension payable in respect of her service to the exclusion of subsection (3) thereof, notwithstanding that some or all of the persons for whose benefit the pension can enure were not at the time of her death in the care of some person other than the widower ; and

(ii) if her husband dies and she re-marries, the subsequent marriage and the children thereof shall be left out of account for the purposes of the Part I provisions unless she proves to the satisfaction of the Secretary of State, at some time while she is still employed in pensionable police service, that her husband by that marriage is wholly or mainly dependent on her.

(a) 12, 13 & 14 Geo. 6. c. 44.

PART II

DEPENDANTS' PENSIONS

4. The provisions of Part II of the Superannuation Act, 1949 (which Part relates to dependants' pensions), and the provisions of the First and Second Schedules to the said Act in so far as they apply in relation to the said first-mentioned provisions shall, subject to the adaptations set out in Parts I and III of the Schedule to this Order, apply as if they were herein set out in relation to persons who are, or have been, employed in pensionable police service as they apply respectively to persons who are, or have been, civil servants within the meaning of the said Act.

PART III

MISCELLANEOUS AMENDMENTS OF THE ORDERS OF THE SECRETARY OF STATE MADE UNDER THE METROPOLITAN POLICE STAFF (SUPERANNUATION) ACT, 1875, BOTH AS ORIGINALLY ENACTED AND AS AMENDED, APPLIED AND EXTENDED BY ANY OTHER ACTS

5. The following provisions of Part III of the Superannuation Act, 1949 (which Part effects miscellaneous amendments of the Superannuation Acts, 1834 to 1946), that is to say, section thirty-two, sections thirty-four to thirty-seven, sections thirty-nine, forty and forty-four and the provisions of the First and Second Schedules to the said Act in so far as they apply in relation to the said first-mentioned provisions, shall, subject to the adaptations set out in Parts I and IV of the Schedule to this Order, apply as if they were herein set out in relation to persons who are, or have been, employed in pensionable police service, or are, or have been, employed in non-pensionable police service, as they apply respectively to persons who are, or have been, civil servants within the meaning of the said Act, or serve, or have served, in the civil service of the State in an unestablished capacity.

6.—(1) The Secretary of State may direct that, subject to such conditions as he may determine, the Metropolitan Police Staffs Superannuation (Unestablished Service) Order, 1943(**a**) (which relates to the reckoning of non-pensionable police service as pensionable police service), shall apply to a person who becomes employed in pensionable police service after having been employed in non-pensionable police service notwithstanding that there is an interval between the conclusion of his said non-pensionable police service and the time when he becomes employed in pensionable police service.

(2) Paragraph (1) of this Article shall apply to persons ceasing to be employed in pensionable police service on or after the fourteenth day of July, 1949, whether they became so employed before, on or after the said date.

(3) Article 3 of the Metropolitan Police Staffs Superannuation (Unestablished Service) Order, 1943, shall have effect in relation to non-pensionable police service rendered on or after the fourteenth day of July, 1949, as if the words " as to one half of the period thereof " were omitted.

7. In the Metropolitan Police Staffs (Increase of Superannuation Allowances) Order, 1944(**b**) (which provides for the increase of pensions granted under the Orders in like manner as pensions under the Superannuation Acts, 1834 to 1943, may be increased under the Pensions (Increase) Act, 1944 (**c**)), the reference to a pension granted by the Secretary of State shall be construed as including any pension granted by him under the Orders or this Order, and the reference to the amount by which a pension payable under the Superannuation Acts, 1834 to 1943, may be increased under the Pensions

(**a**) S.R. & O. 1943 (No. 574) I, p. 623. (**b**) S.R. & O. 1944 (No. 970) I, p. 461.
(**c**) 7 & 8 Geo. 6. c. 21.

(Increase) Act, 1944, and any regulations made by the Treasury under section three thereof shall be construed as a reference to the amount by which a pension payable under the Superannuation Acts, 1834 to 1949, may be increased under the Pensions (Increase) Acts, 1944 and 1947(a), as modified by the Superannuation Act, 1949(b), and under any such said Regulations.

8.—(1) If with respect to any person becoming employed in pensionable police service after attaining the age of forty the Secretary of State has directed that he shall be subject to the provisions of this paragraph, then for the purposes of the Orders the length of his service shall be treated as eight-fifths of the actual length thereof.

(2) If with respect to any person becoming employed in pensionable police service between the ages of thirty-five and forty, the Secretary of State has directed that he shall be subject to the provisions of paragraph (1) of this Article, the provisions of that paragraph shall apply in his case accordingly, but his service before attaining the age of forty shall be disregarded for the purposes of the Orders:

Provided that notwithstanding the direction, this paragraph shall not have effect so as to prevent or reduce any awards under the Orders which might have been made if the direction had not been given.

(3) No direction shall be given under this Article in the case of a person who became employed in pensionable police service before the date on which this Order comes into operation, and no such direction shall be given in the case of any person after the expiration of six months from the date on which he became employed in pensionable police service.

PART IV

MISCELLANEOUS AND GENERAL

9. The following provisions of Part IV of the Superannuation Act, 1949 (which Part makes miscellaneous and general provision, and contains supplemental provisions as to Parts I and II of that Act, and provisions as to certain special classes of case), that is to say, sections forty-five to fifty-one, sections fifty-seven to fifty-nine and sections sixty-two and sixty-three shall, subject to the adaptations set out in Parts I and V of the Schedule to this Order, apply as if they were here set out in relation to the Part I provisions, and to the provisions of Part II of the said Act as adapted and applied by this Order, and in relation to persons who are, or have been, employed in pensionable police service, or are, or have been, employed in non-pensionable police service as they apply in relation to Parts I and II of the said Act and in relation respectively to persons who are, or have been, civil servants within the meaning of the said Act, or serve, or have served, in the civil service of the State in an unestablished capacity.

10.—(1) In this Order—

(*a*) the expression "police service" means service the salary in respect of which is paid out of the Metropolitan Police Fund—

(i) under the Commissioner of Police of the Metropolis or the Receiver for the Metropolitan Police District, otherwise than as a constable,

(ii) as a member of the staff of the Metropolitan Police Courts,

and the expressions "pensionable police service" and "non-pensionable police service" mean respectively police service in a pensionable situation and police service otherwise than in a pensionable situation, being service to which the person serving is required to devote his whole time;

(a) 7 & 8 Geo. 6. c. 21 and 10 & 11 Geo. 6. c. 7. (b) 12, 13 & 14 Geo. 6. c. 44.

(*b*) the expression "reckonable service" means service as computed in accordance with the provisions of the Orders and of this Order relating to the computation of service for the purpose of determining the amount of a superannuation allowance or additional allowance; and

(*c*) the expression "the Orders" means the Orders, other than this Order, made by the Secretary of State in pursuance of the powers conferred on him by the Metropolitan Police Staff (Superannuation) Act, 1875(**a**), both as originally enacted and as amended, applied and extended by any other Acts, and any reference to "the Order" means that one of the Orders made on the date specified.

(2) The Interpretation Act, 1889(**b**), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

11. The following provisions, that is to say—

(*a*) (i) the proviso to paragraph (2) of Article 2 of the Order of the twenty-second day of March, 1910(**c**), and

(ii) the proviso to paragraph (1) of Article 3 of the said Order, and

(*b*) the Order of the ninth day of March, 1933(**d**).

are hereby revoked.

12. This Order may be cited as the Metropolitan Police Staffs Superannuation Order, 1949, and shall come into operation on the twenty-eighth day of November, 1949.

J. Chuter Ede,
One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
24th November, 1949.

SCHEDULE

ADAPTATIONS OF THE PROVISIONS OF THE SUPERANNUATION ACT, 1949, APPLIED BY THIS ORDER

Articles 1, 4, 5 *and* 9. PART I

GENERAL ADAPTATIONS

1. References to the Treasury, except in subsections (2) and (3) of section twenty-nine, shall be construed as references to the Secretary of State.

2. References to a civil servant shall be construed as references to a person employed in pensionable police service, references to the civil service, or to the civil service of the State, shall be construed as references to police service, and references to employment or service in an unestablished capacity and to a person employed or serving in an unestablished capacity, shall be construed respectively as references to employment in non-pensionable police service and to a person employed in non-pensionable police service.

3. References to regulations made under subsection (4) of section sixty-nine of the National Insurance Act, 1946(**e**), shall be construed as references to the Metropolitan Police Staffs (Modification of Superannuation Benefits) (National Insurance) Order, 1948(**f**).

(**a**) 38 & 39 Vict. c. 28.
(**b**) 52 & 53 Vict. c. 63.
(**c**) S.R. & O. 1910 (No. 375) p. 478.
(**d**) S.R. & O. 1933 (No. 113) p. 1400.
(**e**) 9 & 10 Geo. 6. c. 67.
(**f**) S.I. 1948 (No. 2601) I, p. 1953.

4.—(1) Subject as provided in sub-paragraph (2) of this paragraph, references to the Superannuation Act, 1949(a) (in that Act referred to as " this Act "), or to any provision of, or Schedule to, that Act, shall be construed, as the case may be, as references to that Act, provision or Schedule as applied and adapted by this Order.

(2) References to Part I of the said Act shall be construed as references to the Part I provisions and references to any other Part of that Act shall be construed as references to such provisions of that Part as are applied by this Order adapted as aforesaid.

5.—(1) References to the Superannuation Acts, 1834 to 1946, shall be construed as references to the Orders, and references to the Superannuation Acts shall be construed as references to the Orders and this Order.

(2) References to any provision of the Superannuation Acts, 1834 to 1946, specified in the first column of the Table hereafter in this sub-paragraph set out shall be construed as references to the provision of the Orders specified opposite thereto in the second column of the said Table, as amended by any subsequent provision of the Orders, or, as the case may be, to the provision of this Order so specified, and where any reference is made to any such said provision of the said Acts either as originally enacted or as amended by any subsequent Act it shall be construed as a reference to the provision of the Orders specified as aforesaid either as originally made or as amended by any subsequent provision of the Orders, and references to amendment by any subsequent enactment, including any provision of the Superannuation Act, 1949, shall be construed as references to amendment by any subsequent provision of the Orders and by any provision of this Order.

TABLE

Provision of the Superannuation Acts, 1834 to 1946	Provision of the Orders or of this Order
Section 2 of the Superannuation Act, 1859(b).	Article 2 of the Order of the 1st January, 1876(c).
Section 7 of the Superannuation Act, 1859.	Article 7 of the Order of the 1st January, 1876.
Section 10 of the Superannuation Act, 1859.	Article 10 of the Order of the 1st January, 1876.
Section 2 of the Superannuation Act, 1887(d).	Article 2 of the Order of the 22nd November, 1919(e),
Section 3 of the Superannuation Act, 1887.	Article 2 of the Metropolitan Police Staffs Superannuation (Unestablished Service) Order, 1943(f).
Section 1 of the Superannuation Act, 1909(g).	Article 2 of the Order of the 22nd March, 1910(h).
Subsection (2) of section 1 of the Superannuation Act, 1909.	Paragraph (2) of Article 2 of the Order of the 22nd March, 1910.
Section 2 of the Superannuation Act, 1909.	Article 3 of the Order of the 22nd March, 1910.
Subsection (2) of section 2 of the Superannuation Act, 1909.	Paragraph (2) of Article 3 of the Order of the 22nd March, 1910.
Section 6 of the Superannuation Act, 1909.	Article 6 of the Order of the 22nd March, 1910.
Section 2 of the Superannuation Act, 1914(i).	Article 3 of the Order of the 9th April, 1915(j).

(a) 12, 13 & 14 Geo. 6. c. 44.
(b) 22 Vict. c. 26.
(c) S.R. & O. Rev. 1904, VIII, Metro. and City Police Districts, p. 4.
(d) 50 & 51 Vict. c. 67.
(e) S.R. & O. 1919 (No. 1718) I, p. 1097.
(f) S.R. & O. 1943 (No. 574) I, p. 623.
(g) 9 Edw. 7. c. 10.
(h) S.R. & O. 1910 (No. 375) p. 478.
(i) 4 & 5 Geo. 5. c. 86.
(j) S.R. & O. 1915 (No. 352) I, p. 424.

Provision of the Superannuation Acts, 1834 to 1946	Provision of the Orders or of this Order
Section 2 of the Superannuation Act, 1935(a).	The Order of the 28th August, 1939(b).
Section 3 of the Superannuation Act, 1935.	Articles 3, 4 and 5 of the Metropolitan Police Staffs Superannuation (Unestablished Service) Order, 1943.
Subsection (1) of section 3 of the Superannuation Act, 1935.	Article 3 of the Metropolitan Police Staffs Superannuation (Unestablished Service) Order, 1943.
Subsection (2) of section 3 of the Superannuation Act, 1935.	Article 4 of the Metropolitan Police Staffs Superannuation (Unestablished Service) Order, 1943.
Paragraphs (*a*) and (*b*) of subsection (2) of section 3 of the Superannuation Act, 1935.	Paragraphs (*a*) and (*b*) of Article 4 of the Metropolitan Police Staffs Superannuation (Unestablished Service) Order, 1943.
Section 4 of the Superannuation Act, 1935.	Articles 3 and 4 of the Order of the 14th June, 1939(c).
Subsection (1) of section 4 of the Superannuation Act, 1935.	Article 3 of the Order of the 14th June, 1939.
Section 2 of the Superannuation Act, 1946(d).	Article 8 of this Order.
Sub-paragraph (2) of paragraph 3 of the Second Schedule to the Superannuation Act, 1946.	Article 4 of the Metropolitan Police Staffs Superannuation (Unestablished Service) Order, 1947(e).

(3) References to the passing of the Superannuation Act, 1909, shall be construed as references to the making of the Order of the 22nd March, 1910, and references to the commencement of the Superannuation Act, 1935, shall be construed as references to the making of the Order of the 14th June, 1939.

Article 1. PART II

PARTICULAR ADAPTATIONS IN PART I OF THE ACT

In section fourteen—

(*a*) subsection (4) shall be omitted and accordingly in subsection (5) the references to subsections (1) to (4) shall be construed as references to subsections (1) to (3), and the words "or diplomatic pension" shall be omitted, and

(*b*) in subsection (5), the reference to the passing of the Act shall be construed as a reference to the coming into operation of this Order.

Article 4. PART III

PARTICULAR ADAPTATIONS IN PART II OF THE ACT

1. In—

(*a*) subsection (1) of section twenty-nine,

(*b*) subsection (2) of section thirty, and

(*c*) subsection (5) of section thirty-one,

references to the passing of the Act shall be construed as references to the coming into operation of this Order.

(a) 25 & 26 Geo. 5. c. 23. (b) S.R. & O. 1939 (No. 1202) II, p. 2025.
(c) S.R. & O. 1939 (No. 645) II, p. 2020. (d) 9 & 10 Geo. 6. c. 60.
(e) S.R. & O. 1947 (No. 1696) I, p. 1288.

2. In section twenty-nine—

(*a*) in subsection (2), the reference to the Act having been passed shall be construed as a reference to this Order having come into operation, and the reference to the Treasury shall be construed as a reference to the Metropolitan Police Fund, and

(*b*) in subsection (3), the reference to the Treasury shall be construed as a reference to the Metropolitan Police Fund.

3. Subsection (4) of section thirty-one shall be omitted, and accordingly in subsection (5) of the said section the references to subsections (1) to (4) thereof shall be construed as references to subsections (1) to (3) thereof, and the words " or diplomatic pension " shall be omitted.

PART IV *Article 5.*

PARTICULAR ADAPTATIONS IN PART III OF THE ACT

1. In section thirty-two—

(*a*) in subsection (3), the first two references to the passing of the Act shall be construed as references to the coming into operation of this Order, and the third such reference shall be construed as a reference to the fourteenth day of July, 1949,

(*b*) in subsection (4), the reference to any provision whether contained in the Superannuation Act, 1949(a), or in any other Act shall be construed as a reference to any provision whether contained in the Superannuation Act, 1949, as applied and adapted by this Order, or in any of the Orders.

2. In—

(*a*) subsections (1) and (2) of section thirty-four,

(*b*) subsections (6) and (7) of section thirty-five,

(*c*) subsections (7), (8) and (9) of section thirty-six,

(*d*) section thirty-seven, and

(*e*) subsections (1), (3), (4) and (5) of section forty,

references to the passing of the Act shall be construed as references to the coming into operation of this Order.

3. In section thirty-four—

(*a*) in subsection (1), the reference to the appropriate Minister shall be construed as a reference to the Secretary of State, and the definition of " the appropriate Minister " shall be omitted;

(*b*) subsection (4) shall be omitted.

4. In subsection (5) of section thirty-six, the reference to the enactments relating to the computation of reckonable service other than section two of the Superannuation Act, 1946(b), shall be construed as a reference to the provisions of the Orders and of this Order other than Article 8 thereof relating to the computation of reckonable service.

5. In section thirty-nine—

(*a*) in subsections (1), (2) and (3), for the words " after the passing of this Act " there shall be substituted the words " on or after the fourteenth day of July, 1949 ";

(*b*) in subsections (1) and (3), before the word " dies " there shall be inserted the words " has died or ";

(*c*) in subsection (2), before the words " retires or is removed " there shall be inserted the words " has retired or has been removed or ";

(a) 12, 13 & 14 Geo. 6. c. 44. (b) 9 & 10 Geo. 6. c. 60.

(*d*) in subsection (2), the reference to the head officer of the department shall be construed as a reference to, as the case may be, the Commissioner of Police of the Metropolis, the Receiver for the Metropolitan Police District or the Chief Magistrate of the Metropolitan Police Courts; and

(*e*) subsection (6) shall be omitted.

6. In subsection (1) of section forty, for the words "moneys provided by Parliament" there shall be substituted the words "the Metropolitan Police Fund".

7. In section forty-four—

(*a*) in subsection (1), the reference to a competitive examination for persons desiring to become civil servants shall be construed as a reference to a competitive examination accepted as a qualification for persons desiring to become employed in pensionable police service, and the reference to the head officer of a Government department shall be construed as a reference to the Commissioner of Police of the Metropolis, the Receiver for the Metropolitan Police District or the Chief Magistrate of the Metropolitan Police Courts, and

(*b*) in subsection (3), the first three references to the passing of the Act shall be construed as references to the coming into operation of this Order, and the fourth such reference shall be construed as a reference to the fourteenth day of July, 1949.

Article 9. PART V

PARTICULAR ADAPTATIONS IN PART IV OF THE ACT

1. Subsections (1) to (4) of section forty-eight shall be omitted.

2. In subsections (1) and (2) of section fifty, the references to the passing of the Act shall be construed as references to the coming into operation of this Order.

3. In subsection (1) of section fifty-eight, the references to sections thirty-three, forty-two and forty-three shall be omitted.

4. In section sixty-two—

(*a*) in subsection (1), for the words "moneys provided by Parliament" there shall be substituted the words "the Metropolitan Police Fund", for the words "under any other Act" there shall be substituted the words "under the Orders", and paragraph (*c*) shall be omitted;

(*b*) in subsection (2), the words "or fall to be paid into some other fund" shall be omitted and for the words "the Exchequer" there shall be substituted the words "the Metropolitan Police Fund";

(*c*) subsection (3) shall be omitted.

5. In section sixty-three—

(*a*) in subsection (1)—

(i) the definition of "employment in an unestablished capacity" shall be omitted;

(ii) for the definition of "reckonable service", there shall be substituted the definition of that expression set out in sub-paragraph (*b*) of paragraph (1) of Article 10 of this Order;

(iii) in the definition of "superannuation allowance", the words from "and does not include" to the end shall be omitted;

(iv) the definition of "the Superannuation Acts" shall be omitted;

(*b*) subsection (2) shall be omitted;

(*c*) in subsection (6), the words from the beginning of the subsection to the word "aforesaid" shall be omitted.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order relates to superannuation and other benefits to and in respect of members of the civil staffs employed under the Commissioner of Police of the Metropolis and the Receiver for the Metropolitan Police District and members of the staffs of the Metropolitan Police Courts. The Order, except Article 8, applies, with the necessary adaptations set out in the Schedule, most of the provisions of the Superannuation Act, 1949, which makes fresh provision as to the superannuation and other benefits to and in respect of persons in the civil service of the State. Part I applies the provisions of Part I of the Act regarding pensions to widows, children, etc., and the contributions to be made: Part II applies the provisions of Part II of the Act regarding pensions to nominated dependants and the contributions to be made: Part III, except Article 8, makes miscellaneous amendments in the Orders of the Secretary of State regarding the superannuation and other benefits to and in respect of the above-mentioned staffs, corresponding to the miscellaneous amendments made in the Superannuation Acts by Part III of the Act: Article 8 makes provision in regard to the staffs corresponding to section 2 of the Superannuation Act, 1946, which relates to the superannuation of late entrants to the civil service: Part IV applies the relevant provisions of Part IV of the Act which contains supplemental and general provisions and provisions as to certain special classes of case. By virtue of the power given by section 52 (2) of the Superannuation Act, 1949, certain provisions of the Order, in particular Article 1(1), which relates to the application of Part I of the Act, are made to take effect as from the 14th July, 1949, that is to say, the date of the passing of the Act.

MIDWIFE, ENGLAND

The Midwives Rules, Approval Instrument, 1949

1949 No. 1800

Made - - - - 23rd September, 1949

MH 109649.

Whereas the Central Midwives Board have framed Rules under the Midwives Acts, 1902 to 1936 to supersede all former Rules made by the Board thereunder;

And Whereas the Rules so framed by the Board as aforesaid are set out in the Schedule to this Instrument:

Now, therefore, the Minister of Health, in exercise of his powers under section 3 of the Midwives Act, 1902(a), and of all other powers enabling him in that behalf, hereby approves the said Rules so framed by the Central Midwives Board as aforesaid.

This Instrument may be cited as the Midwives Rules, Approval Instrument, 1949.

(a) 2 Edw. 7. c. 17.