PENSION

1958 No. 238

The Metropolitan Police Staffs Superannuation Order, 1958

Laid before Parliament in draft

Made - - - -	11*th February*, 1958
Coming into Operation	25*th February*, 1958

In pursuance of the Metropolitan Police Staff (Superannuation) Acts, 1875 to 1931, both as originally enacted and as applied by section five of the Metropolitan Police Courts Act, 1897(a), and as extended by the Superannuation (Various Services) Act, 1938(b), and the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), I, by this Order, make the following Regulations:—

1. Article 5 of the Metropolitan Police Staffs Superannuation Order, 1949(d) (which provides among other things that the provisions of sections thirty-nine and forty of the Superannuation Act, 1949, for the payment of gratuities in respect of unestablished and part-time service, respectively, in the civil service of the State shall apply with adaptations to employment in police service), shall be amended as follows:—

(*a*) after the words "thirty-nine" there shall be inserted the words "(as amended by subsections (1) and (3) of section one and subsection (4) of section five of the Superannuation Act, 1957(e))";

(*b*) after the word "forty" there shall be inserted the words "(as so amended)".

2.—(1) Where at some time before the thirtieth day of September, nineteen hundred and thirty-four, a person entered police service after having served in a temporary capacity with the Imperial War Graves Commission, his service in a temporary capacity with that Commission before that time, but not before the first day of January, nineteen hundred and nineteen, may, subject to the provisions of this Article, be reckoned for the purposes of the Orders as service in an unestablished capacity within the meaning of Article 3 of the Metropolitan Police Staffs Superannuation (Unestablished Service) Order, 1947(f) (which relates to the superannuation of persons in pensionable police service having previous non-pensionable police service).

(2) Where the said Commission paid a gratuity to a person to whom the foregoing paragraph applies in respect of his service with the Commission, it shall be a condition of the making of any payment under the Orders in respect of that person's service, so far as the amount of that payment is

(a) 60 & 61 Vict. c. 26. (b) 1 & 2 Geo. 6. c. 13. (c) 12, 13 & 14 Geo. 6. c. 44.
(d) S.I. 1949/2193 (1949 I, p. 2511). (e) 5 & 6 Eliz. 2. c. 37.
(f) S.R. & O. 1947/1696 (Rev. XIV, p. 757: 1947 I, p. 1288).

dependent on the provisions of the foregoing paragraph, that there has been paid to the Metropolitan Police Fund a sum equal to the amount of the said gratuity.

(3) Any amount payable to the Metropolitan Police Fund under the last foregoing paragraph may be deducted from any allowance or gratuity payable in respect of the person in question under paragraph (2) of Article 2 or Article 3 of the Order of the 22nd March, 1910(a) (which authorise the payment of an additional superannuation allowance or a gratuity to or in respect of persons in pensionable police service), or any other lump sum payment so payable under the Orders, and, where any such deduction is made, the person entitled to the lump sum payment shall not be entitled to require any other person to make any contribution towards the deduction borne by him.

(4) This Article shall not have effect so as to authorise an increase in an annual superannuation allowance or pension so far as the allowance or pension is payable in respect of a period before the coming into operation of this Order.

3.—(1) In this Order—

(*a*) "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, or

(ii) as a member of the staff of the metropolitan police courts;

(*b*) "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(b), both as originally enacted and as amended, applied and extended by other Acts, and "the Order" means that one of the Orders made on the day specified.

(2) A reference in this Order to a provision of any of the Orders shall be construed as a reference to that provision as amended by any subsequent Order.

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

4. This Order may be cited as the Metropolitan Police Staffs Superannuation Order, 1958, and shall come into operation on the fourteenth day after the day on which it is made.

R. A. Butler,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
11th February, 1958.

(a) S.R. & O. 1910/375 (Rev. XIV, p. 740: 1910 p. 478). (b) 38 & 39 Vict. c. 28.
(c) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

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

This Order relates to the superannuation of certain 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.

Sections 39 and 40 of the Superannuation Act, 1949, as originally enacted, provided for the payment of gratuities to or in respect of persons who have served for seven years in unestablished or part-time service, respectively, in the civil service. Article 5 of the Metropolitan Police Staffs Superannuation Order, 1949, made corresponding provision in respect of members of the staffs referred to above. Sections 39 and 40 of the Act of 1949 were amended by sections 1 and 5 of the Superannuation Act, 1957, in respect of service ending on or after 15th May, 1957, so as to reduce the qualifying period for a gratuity from seven years to five years and to substitute a more favourable basis for calculating the amount of a gratuity. Article 1 of this Order makes corresponding amendments to the Order of 1949.

Section 3 of the Act of 1957 provides that where persons have served in a temporary capacity with the Imperial War Graves Commission and afterwards entered the civil service their former service may in certain circumstances be counted for superannuation purposes. Article 2 of this Order makes similar provision in respect of persons who have served with the Commission and afterwards on the staffs referred to in the first paragraph above.

MINES AND QUARRIES

MANAGEMENT AND CONTROL (MINES)

1958 No. 1597

The Coal and Other Mines (Mechanics and Electricians) (Variation) Regulations, 1958

Made - - - -	23*rd September*, 1958
Laid before Parliament	29*th September*, 1958
Coming into Operation	1*st November*, 1958

The Minister of Power in pursuance of the powers conferred upon him by section one hundred and forty-one and subsection (1) of section one hundred and forty-three of the Mines and Quarries Act, 1954(a), and of all other powers him enabling hereby orders that the following regulations shall have effect :—

1. These regulations shall come into operation on the first day of November, nineteen hundred and fifty-eight, and may be cited as the Coal and Other Mines (Mechanics and Electricians) (Variation) Regulations, 1958.

(a) 2 & 3 Eliz. 2. c. 70.