METROPOLITAN POLICE DISTRICT

1953 No. 1097

The Metropolitan Police Staffs Superannuation (War Service) Order, 1953

Made - - - - 14*th July*, 1953

Coming into Operation 28*th July*, 1953

Whereas under the Metropolitan Police Staff (Superannuation) Acts, 1875 to 1931, both as originally enacted and as applied by section five of the Metropolitan Police Courts Act, 1897(a), and as extended by the Superannuation (Various Services) Act, 1938(b), and the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 Sir David Maxwell Fyfe, one of Her Majesty's Principal Secretaries of State, in pursuance of the said Acts, do, by this Order, make the following Regulations:—

1. This Order applies to—

(*a*) any person who during the period beginning with the third day of September, 1939, and ending with the thirtieth day of June, 1950, entered on police service after war service; and

(*b*) any person who at any time after the said thirtieth day of June, 1950, enters or has entered police service through recruitment by a competition determined by the Secretary of State to be a reconstruction competition after war service.

2. For the purposes of so much of Article 5 of the Metropolitan Police Staffs Superannuation Order, 1949(d), as applies with adaptations section thirty-nine of the Superannuation Act, 1949 (relating to gratuities on the retirement or death of a person in non-pensionable police service), and for the purposes of Articles 3, 4 and 5 of the Metropolitan Police Staffs Superannuation (Unestablished Service) Order, 1943(e), and Article 6 of the said Metropolitan Police Staffs Superannuation Order, 1949 (relating to the superannuation of persons in pensionable police service having previous non-pensionable police service), any war service served by a person to whom this Order applies after attaining the age at which, in the opinion of the Secretary of State, he might but for war circumstances have been appointed to police service in the capacity in which he was in fact appointed shall, subject as provided in Article 3 of this Order, be treated as if it had been continuous non-pensionable police service ending immediately before the date on which the said person enters or entered on police service.

(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) S.R. & O. 1943/574; Rev. XIV, p. 752; 1943 I, p. 623.

3.—(1) Where a person has received non-effective pay or excess remuneration in respect of any part of his war service, then that part of his war service shall not be treated under Article 2 of this Order as non-pensionable police service (except for counting for the purposes of so much of Article 5 of the Metropolitan Police Staffs Superannuation Order, 1949, as, in applying with adaptations section thirty-nine of the Superannuation Act, 1949, requires a minimum period of service as a condition for the grant of a gratuity) unless—

(*a*) that person makes an application to the Secretary of State within six months of the date when he was first employed in police service or of the date of the coming into operation of this Order (whichever is the later) or within such further time as the Secretary of State, having regard to the circumstances of the case, may allow, and

(*b*) that person states in his application that he has refunded, or is willing to refund, any non-effective pay or excess remuneration in respect of any part of his war service which he desires to be treated under Article 2 of this Order as non-pensionable police service and that he surrenders his right to any further payment of such non-effective pay or excess remuneration, and

(*c*) that person authorises any consequent adjustment of the payment of non-effective pay or excess remuneration as from the date when it first became due.

(2) Where such an adjustment as aforesaid involves the repayment of any sum, the application of the person who has to make repayment shall not be effective until repayment is made so, however, that if that person dies before repayment is completed, the Secretary of State may deduct any sum outstanding from any sum payable in respect of that person under the Orders made in pursuance of the Metropolitan Police Staff (Superannuation) Act, 1875(**a**), both as originally enacted and as amended, applied and extended by any other Acts, in such manner as he thinks fit, and any such sum so deducted shall be paid over to the credit of the vote of the department to which the payment is due and be towards completion of the repayment above referred to.

(3) Where in regard to any application made under this Article the repayment of any sum falls to be made by instalments, the application shall not be effective until the department to which the payment is due has certified to the Secretary of State that repayment is complete, and if the repayment is not complete within two years of the date of the application the Secretary of State may declare the application to be null and void.

4.—(1) In this Order—

(*a*) "excess remuneration" means, in relation to a retired officer of the armed forces of the Crown who is re-employed in those forces, any service pension drawn in respect of such period of re-employment, or any addition to the normal pay attaching to the post in which the officer is re-employed which is granted by reason of the officer's former employment in those forces;

(*b*) "non-effective pay" includes naval, military or air force pensions, retired pay and gratuities (other than war gratuities to which section twenty-three of the Finance (No. 2) Act, 1945(**b**), which exempts war gratuities from income tax, applies);

(**a**) 38 & 39 Vict. c. 28. (**b**) 9 & 10 Geo. 6. c. 13.

(*c*) "police service" means whole-time 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 under 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,

and "pensionable police service" means police service in a pensionable situation, and "non-pensionable police service" means police service otherwise than in a pensionable situation;

(*d*) "war service" means whole-time service in the armed forces of the Crown, in the merchant navy or the mercantile marine, or in any of the women's services specified in the Schedule to this Order, served, in the case of a person to whom paragraph (*a*) of Article 1 of this Order applies, within the period beginning with the third day of September, 1939, and ending with the thirtieth day of June, 1950, or, in the case of a person to whom paragraph (*b*) of the said Article applies, at any time since the second day of September, 1939.

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

5. This Order may be cited as the Metropolitan Police Staffs Superannuation (War Service) Order, 1953, and shall come into operation on the fourteenth day after the day on which it is made.

David Maxwell Fyfe,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
14th July, 1953.

SCHEDULE

Article 4 (1) (*d*)

WOMEN'S SERVICES

1. Queen Alexandra's Royal Naval Nursing Service or any reserve thereof.

2. The Women's Royal Naval Service.

3. Women medical or dental practitioners serving in the Royal Navy or any naval reserve.

4. Queen Alexandra's Imperial Military Nursing Service or any reserve thereof or Queen Alexandra's Royal Army Nursing Corps.

5. The Territorial Army Nursing Service or any reserve thereof or Queen Alexandra's Royal Army Nursing Corps Territorial Army.

6. The Auxiliary Territorial Service or Women's Royal Army Corps.

7. Women employed with the Royal Army Medical Corps or the Army Dental Corps with relative rank as officers.

8. Princess Mary's Royal Air Force Nursing Service or any reserve thereof.

9. The Women's Auxiliary Air Force or Women's Royal Auxiliary Air Force.

10. Women employed with the Medical Branch or the Dental Branch of the Royal Air Force with relative rank as officers.

11. The Voluntary Aid Detachments employed under the Admiralty, Army Council or Air Council.

(a) 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 makes provision for the counting, for the purposes of superannuation and other benefits, of the war service as defined in Article 4 (1) (*d*) of a person who, in the circumstances specified in Article 1, becomes or has become a member of the civil staffs employed under the Commissioner of Police of the Metropolis or the Receiver for the Metropolitan Police District or a member of the staffs of the Metropolitan Police Courts. Under Article 2 this war service is to be counted as if it had been continuous non-pensionable service as such a member (so that, under the provisions specified in the Article, if such a person did not become a pensionable member of those staffs, his war service would be counted in full for the purpose of any gratuity, or, if he did become a pensionable member, it would be counted as to one-half, or, if performed after 13th July, 1949, in full, for the purposes of any pension or gratuity). Under Article 3 if a person has received any non-effective pay or excess remuneration as defined in Article 4 in respect of his war service this must be refunded in order that his war service may be counted under this Order.

MINISTERS OF THE CROWN

1953 No. 1673

The Transfer of Functions (Atomic Energy and Radioactive Substances) Order, 1953

Made - - - -	19*th November*, 1953
Laid before Parliament	20*th November*, 1953
Coming into Operation	1*st January*, 1954

At the Court at Buckingham Palace, the 19th day of November, 1953

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of the Ministers of the Crown (Transfer of Functions) Act, 1946(**a**), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows—

1.—(1) This Order may be cited as the Transfer of Functions (Atomic Energy and Radioactive Substances) Order, 1953.

(2) This Order shall come into operation on the first day of January, 1954.

(3) The Interpretation Act, 1889(**b**), applies for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2.—(1) The functions of the Minister of Supply under the Atomic Energy Act, 1946(**c**), and the Radioactive Substances Act, 1948(**d**), are hereby transferred to the Lord President of the Council.

(**a**) 9 & 10 Geo. 6. c. 31. (**b**) 52 & 53 Vict. c. 63. (**c**) 9 & 10 Geo. 6. c. 80.
(**d**) 11 & 12 Geo. 6. c. 37.