2. These Rules may be cited as the Companies (Winding-up) (Amendment) Rules, 1954, and shall come into operation on the 22nd day of February, 1954.

Dated the twelfth day of February, 1954.

Simonds, C.

I concur,

Peter Thorneycroft,
President of the Board of Trade.

EXPLANATORY NOTE

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

These Rules replace the provisions of the Companies (Winding-up) Rules, 1949, relating to shorthand notes, and provide for an increase of 25 per cent. in the fees payable to shorthand writers in respect of work done after the 15th December, 1953.

CONSTABULARY, IRELAND

1954 No. 703

The Royal Irish Constabulary (Widows' Pensions) Regulations, 1954

Made - - - -	26*th May,* 1954
Laid before Parliament	31*st May,* 1954
Coming into Operation	1*st June,* 1954

In exercise of the powers conferred on me by section one of the Royal Irish Constabulary (Widows' Pensions) Act, 1954(a), I hereby, with the consent of the Treasury, make the following Regulations:—

Supplementary allowance payable to certain widow pensioners

1. Where the widow of a former member of the Royal Irish Constabulary is entitled to a pension under the enactments (other than the Royal Irish Constabulary (Widows' Pensions) Act, 1954) relating to the pensions of that force, then, if and for so long as—

(*a*) the conditions prescribed by Regulation 3 of these Regulations are satisfied in her case, and

(*b*) the combined rate of the said pension and of her relevant income, determined in accordance with the Schedule to these Regulations, is less than thirty-two shillings and sixpence a week,

a supplementary allowance may, if the Secretary of State thinks fit, be paid to that widow at such rate as will secure that the combined rate of the said

(a) 2 & 3 Eliz. 2. c. 17.

pension, of her relevant income determined as aforesaid and of the said allowance is equal to thirty-two shillings and sixpence a week.

Pension payable to certain widows not otherwise entitled to pension

2. Where a widow is not entitled to a pension under the aforesaid enactments in a case where her husband ceased to be a member of the Royal Irish Constabulary before the first day of September, 1918, or if his rank was higher than that of head constable major before the first day of April, 1919, then, if and for so long as—

(*a*) the conditions prescribed by Regulation 3, and one of the further conditions prescribed by Regulation 4, of these Regulations are satisfied in her case, and

(*b*) the rate of her relevant income, determined in accordance with the Schedule to these Regulations, is less than thirty-two shillings and sixpence a week,

a pension may, if the Secretary of State thinks fit, be paid to that widow at such rate as will secure that the combined rate of the said pension and of her relevant income determined as aforesaid is equal to thirty-two shillings and sixpence a week:

Provided that the rate of the pension shall be five shillings a week in any case where the weekly rate otherwise payable under this Regulation would be less than that sum.

Conditions for payment of supplementary allowances and pensions

3.—(1) The prescribed conditions referred to in paragraph (*a*) of each of foregoing Regulations are the following, that is to say:—

(*a*) that the widow married her husband before he ceased to be a member of the Royal Irish Constabulary;

(*b*) that she has attained the age of sixty or is incapable of self-support or has a dependent child;

(*c*) that she is ordinarily resident in the United Kingdom, any of the Channel Islands, the Isle of Man or the Republic of Ireland.

(2) For the purposes of sub-paragraph (*b*) of the foregoing paragraph, a woman shall be deemed incapable of self-support if, but only if, she is incapable of supporting herself by reason of physical or mental infirmity and is likely to remain so incapable for a prolonged period.

Further conditions for payment of pensions

4. The further prescribed conditions referred to in paragraph (*a*) of Regulation 2 of these Regulations are the following, that is to say:—

(*a*) that the member in question died while serving in the Royal Irish Constabulary or while in receipt of a pension under the enactments relating to the pensions of that force;

(*b*) that having retired without a pension from that force on account of injury or disease, he died in consequence of that injury or disease;

(*c*) that he died or was disabled while employed on naval or military service in such circumstances that subsection (2) of section one of the Irish Police (Naval and Military Service) Act, 1915(**a**), applied in his case.

Payments after remarriage

5. Where the widow of a former member of the Royal Irish Constabulary has remarried and again become a widow, the same payments may be made to her under these Regulations as if she had not remarried; but save as aforesaid no payment shall be made under these Regulations where a widow of a former member of that force has remarried or is otherwise cohabiting with a man.

(**a**) 5 & 6 Geo. 5. c. 32.

Application of provisions of 1922 *Order*

6. Articles 15 and 16 of the Royal Irish Constabulary Pensions Order, 1922(**a**) (which relate to the assignment, forfeiture and withdrawal of pensions and contain provisions regulating payment), shall apply to any supplementary allowance or pension payable under these Regulations as the said Articles apply to a pension payable under that Order.

Interpretation

7.—(1) In these Regulations, "child" includes a stepchild and a child adopted in pursuance of an order of a court of law; and for the purposes of these Regulations a child may be treated as a dependent child—

(*a*) during any period while he is under the age of fifteen years; and

(*b*) during any period before the first day of August next following the day on which he attains the age of sixteen years while he is undergoing full-time instruction in a school or is an apprentice.

(2) Any reference in these Regulations to the rate of any payment shall be construed as a reference to that rate after taking into account any increase payable under the Pensions (Increase) Acts, 1920 and 1924(**b**), the Pensions (Increase) Acts, 1944 and 1947(**c**), and the Pensions (Increase) Act, 1952(**d**).

(3) For the purpose of determining the amount of any payment under these Regulations there shall be deemed to be fifty-two weeks and one-sixth of a week in every year.

(4) Any reference in these Regulations to any enactment shall be construed as a reference to that enactment as amended by or under any subsequent enactment.

(5) The Interpretation Act, 1889(**e**), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Citation and commencement

8. These Regulations may be cited as the Royal Irish Constabulary (Widows' Pensions) Regulations, 1954, and shall come into operation on the first day of June, 1954.

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

26th May, 1954.

We consent,

T. G. D. Galbraith,
Dennis Vosper,
Two of the Lords Commissioners of Her Majesty's Treasury.

26th May, 1954.

(**a**) S.R. & O. 1922/945 (1922, p. 112).
(**b**) 10 & 11 Geo. 5. c. 36 and 14 & 15 Geo. 5. c. 32.
(**c**) 7 & 8 Geo. 6. c. 21 and 10 & 11 Geo. 6. c. 7.
(**d**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 45.
(**e**) 52 & 53 Vict. c. 63.

Regulations 1 and 2 SCHEDULE

DETERMINATION OF RELEVANT INCOME

1. For the purposes of Regulations 1 and 2 of these Regulations, the weekly rate of the relevant income of a widow shall be determined from the aggregate of—

(*a*) the annual amount received by her of any benefit or pension under the National Insurance Acts, 1946(**a**), or the Old Age Pensions Act, 1936(**b**), or of any similar benefit or pension paid out of public funds in Northern Ireland, any of the Channel Islands, the Isle of Man or the Republic of Ireland, and

(*b*) so much of her annual private income, calculated in accordance with paragraph 2 of this Schedule, as exceeds one hundred and four pounds.

2. For the purposes of the foregoing paragraph, the annual private income of a widow shall include—

(*a*) any pension, grant, allowance or annuity received by her (other than a pension payable under the enactments relating to the pensions of the Royal Irish Constabulary, assistance grants and any such benefit or pension as is specified in sub-paragraph (*a*) of the foregoing paragraph);

(*b*) where land or house property or other buildings are owned by her and occupied by her in whole or in part, the net annual value thereof;

(*c*) where land or house property or other buildings are owned by her and not occupied by her at all, but let in whole or in part unfurnished, the net annual value thereof or the rent per annum receivable by her in respect of such letting, whichever is the less (plus the excess rent (if any) to be included under sub-paragraph (*f*) of this paragraph);

(*d*) interest or dividends paid to her on stocks, shares, mortgages or other securities or on moneys on deposit;

(*e*) profits or wages earned by her in any trade, business (including farming or husbandry), profession, employment or vocation, including overtime pay and bonus (if any) and the value of board, lodging, fuel, light or other benefits, if any, whether receivable in cash or in kind;

(*f*) the annual value of any net receipts by her by way of income from other sources (including profits of letting furnished houses or other premises and excess rents from letting unfurnished houses or other premises in respect of which she is chargeable under sections one hundred and seventy-five and one hundred and seventy-six of the Income Tax Act, 1952(**c**)).

3.—(1) In sub-paragraph (*a*) of the last foregoing paragraph, the expression "assistance grants" means assistance grants within the meaning of the National Assistance Act, 1948(**d**), or similar grants paid out of public funds in Northern Ireland, any of the Channel Islands, the Isle of Man or the Republic of Ireland.

(2) For the purposes of sub-paragraphs (*b*) and (*c*) of the last foregoing paragraph, land or house property or other buildings held by the widow on lease shall be deemed to be owned by her if, and only if, the lease is a ground lease, that is to say, a lease at a rent (or, where the rent varies, at a maximum rent) which does not substantially exceed the rent which a tenant might reasonably have been expected, at the commencement of the term created by the lease, to pay for the land comprised in the lease, excluding any buildings, for a term equal to the term created by the lease.

4. For the purpose of determining the annual private income of a widow in accordance with this Schedule, Regulations 4 and 5 of the Increase of Pensions (Calculation of Income) Regulations, 1952(**e**) (which relate to the method of calculating the net annual value of land and make provision for the allowance

(**a**) 9 & 10 Geo. 6. c. 62 and 9 & 10 Geo. 6. c. 67. (**b**) 26 Geo. 5 & 1 Edw. 8. c. 31.
(**c**) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 10. (**d**) 11 & 12 Geo. 6. c. 29.
(**e**) S.I. 1952/1535 (1952 II, p. 2336).

of certain deductions from income), shall apply with the substitution for any reference to the pensioner of a reference to the widow and as if the references to the pensioner's wife or husband were omitted.

5. For the purpose of enabling the relevant income of a widow to be determined in accordance with this Schedule, she may be required to make a declaration of income in such form and at such times as may be determined by the Secretary of State.

EXPLANATORY NOTE

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

These Regulations enable payments to be made to widows of former members of the Royal Irish Constabulary. Where a widow is already entitled to a pension on account of her husband's service in that force, that pension may be augmented by a supplementary allowance of such amount as will secure that her total weekly income amounts to 32s. 6d. (Regulation 1). Where a widow is not already entitled to a pension and one of the conditions prescribed by Regulation 4 is satisfied in her case, a new pension may be paid to her of such amount as will secure that her total weekly income amounts to 32s. 6d. (Regulation 2): the proviso to the Regulation ensures that the rate of any new pension will not be less than 5s. a week.

Payment is in both cases subject to continued residence in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland and may be made only if the widow is over sixty years of age or is incapable of self-support or has a dependent child (Regulation 3).

The Schedule to the Regulations sets out the other sources of income which are to be taken into account in determining the total weekly income. These include national insurance benefits or pensions and similar payments and so much of the widow's private income as exceeds £2 a week.

CORONERS

1954 No. 14

The Coroners' Records (Fees for Copies) Rules, 1954

Made - - - - *6th January*, 1954
Coming into Operation *1st February*, 1954

In pursuance of the powers conferred on me by subsection (2) of section twenty-nine of the Coroners (Amendment) Act, 1926(a), I hereby make the following Rules:—

1. The fees payable to coroners or other persons for furnishing copies of inquisitions, depositions or other documents in their custody relating to an inquest shall be as follows:—

(*a*) for furnishing for a person charged by an inquisition with murder, manslaughter or infanticide a copy of the said inquisition or of the depositions of the witnesses at the inquest, 1½d. for every folio or part of a folio of 90 words;

(a) 16 & 17 Geo. 5. c. 59.