Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this tenth day of August, nineteen hundred and sixty-one, in the presence of

(L.S.) *D. C. B. Holden,*
Second Secretary.

EXPLANATORY NOTE

(This note is not part of the Order but is intended to explain its general purport.)

The Order prescribes a maximum rate of interest or dividend of 7½ per centum per annum on any share or loan capital issued after the date of the Order by a Public Utility Society within the meaning of Section 33 of the Housing (Ireland) Act, 1919, as amended by Section 6 of the Housing Act, 1921.

1961. No. 176 **[C]**

ROYAL ULSTER CONSTABULARY

Pensions

ORDER, DATED 3RD AUGUST, 1961, 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.

I, the Right Honourable Brian Faulkner, 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(**a**), section four of the Constabulary and Police (Ireland) Act, 1919(**b**), as applied by the said Act of 1922, and by the Constabulary (Pensions) Act (Northern Ireland), 1949(**c**), and of all other powers enabling me in that behalf, do hereby order as follows:—

Citation

1. This Order may be cited as the Royal Ulster Constabulary Pensions (Amending) (No. 2) Order, 1961, and shall be construed as one with the Royal Ulster Constabulary Pensions Orders, 1949 to 1961, and those Orders and this Order may be cited together as the Royal Ulster Constabulary Pensions Orders, 1949 to 1961.

Certificate

2. 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

(a) 12 & 13 Geo. 5. c. 8 (N.I.).
(b) 9 & 10 Geo. 5, c. 68.
(c) 1949, c. 9.

before the Order is made the Minister of Home Affairs shall consider any representations made by such Body or Bodies, has been fully observed.

Interpretation

3.—(1) In this Order, unless the contrary intention appears, a reference to a paragraph shall be interpreted as a reference to a paragraph in the Schedule to the Royal Ulster Constabulary Pensions Order, 1949(a), and a reference to an Appendix shall be interpreted as a reference to an Appendix to the said Schedule.

(2) In this Order, the expression "1956 Order(b)" means the Royal Ulster Constabulary Pensions (Amending) Order made in the year mentioned and the expression "1958 (No. 2) Order" means the Royal Ulster Constabulary Pensions (Amending) (No. 2) Order, 1958(c).

Amendments of the Schedule relating to Awards on Retirement

4. At the beginning of sub-paragraph (2) of paragraph 2 (which relates to the duration and amount of awards) there shall be inserted the words "Subject to the provisions of this Schedule".

5.—(1) For sub-paragraph (2) of paragraph 3, as set out in Article 1 of the 1956 Order (which relates to a member's ordinary pension), there shall be substituted the following sub-paragraph:—

"(2) An ordinary pension shall be of an amount determined in accordance with Parts I, III and V of Appendix 1 or, where the date of retirement is later than 30th June, 1949, in accordance with Parts IA, III and V of the said Appendix; but, in the case of a person entitled to reckon less than thirty years' pensionable service who retires after 7th August, 1961, no payments shall be made on account of the pension in respect of the period, if any, before he has attained the age of fifty years."

(2) At the end of the said paragraph 3 there shall be added the following sub-paragraph:—

"(5) In relation to a person who is serving as a member on 7th August, 1961, the limitation imposed by sub-paragraph (2) on the making of payments in respect of a period before a person has attained the age of fifty years shall not apply on his first retiring from the force after that day; and a person who has retired with an ill-health pension and subsequently rejoins the force in the circumstances, and within the period, mentioned in sub-paragraph (2) of paragraph 37, shall be treated for the purposes of this sub-paragraph as if he had not retired but had served as a member throughout the period for which he was in receipt of that pension."

6.—(1) For sub-paragraph (5) of paragraph 54 as set out in Article 7 of the 1958 (No. 2) Order (which relates to the allocation of part of a pension in favour of a dependant) there shall be substituted the following sub-paragraph:—

"(5) Where a person retires or has retired and a notice of allocation given by him has become or becomes effective, the pension to which the notice relates shall be reduced in accordance with the notice as from the date from which it is payable (notwithstanding the death of the beneficiary before that date)."

(a) S.R. & O. (N.I.) 1949, No. 211.
(b) S.R. & O. (N.I.) 1956, No. 49.
(c) S.R. & O. (N.I.) 1958, No. 184.

(2) In sub-paragraph (6) of the said paragraph 54 for the words "which is reduced" there shall be substituted the words "which falls to be reduced".

7. For sub-paragraph (4) of paragraph 57 (which relates to persons treated as being in receipt of a supplemental pension) there shall be substituted the following sub-paragraph:—

"(4) For the purposes of this Order a person shall be treated as being in receipt of an ordinary or, as the case may be, supplemental pension if he would be in receipt of such a pension—

(*a*) in the case of an ordinary pension, had he attained the age of fifty years, or

(*b*) in the case of a supplemental pension, had the aggregate of any of the payments described in sub-paragraph (3) of paragraph 6 been less than the standard amount appropriate to his case."

Amendments of the Schedule relating to Definitions

8. In sub-paragraph (1) of paragraph 57 (which contains definitions) there shall be substituted—

(*a*) for the definition of "the force" the following definition: "the force" means the Royal Ulster Constabulary.

(*b*) for the definition of "member" the following definition: "member" means a member of the Royal Ulster Constabulary and includes the Inspector General and the Deputy Inspector General.

Dated this 3rd day of August, 1961.

Brian Faulkner,
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 7th day of August, 1961.

Terence O'Neill,
Minister of Finance
for Northern Ireland.

EXPLANATORY NOTE

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

This Order provides that in the case of a member who has 25 (the minimum requisite for an ordinary pension) or more years', but less than 30 years' pensionable service, such pension shall not come into payment unless and until he has attained the age of 50 years, but preserves the existing provision for serving members and for certain other cases.