1969. No. 204 [C]

ROYAL ULSTER CONSTABULARY

Pensions

ORDER, DATED 28TH JULY 1969, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 4 OF THE CONSTABULARY AND POLICE (IRELAND) ACT 1919 AND SECTION 2 OF THE CONSTABULARY ACT (NORTHERN IRELAND) 1922.

I, the Right Honourable Robert Wilson Porter, Q.C., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section 4 of the Constabulary and Police (Ireland) Act 1919(**a**) and section 2 of the Constabulary Act (Northern Ireland) 1922(**b**) and of all other powers enabling me in that behalf and after considering representations by the Representative Bodies constituted by the said Act of 1919 as required by section 4 of that Act, do hereby order as follows:—

Citation

1. This Order may be cited as the Royal Ulster Constabulary Pensions (Amending) (No. 2) Order 1969, shall be construed as one with the Royal Ulster Constabulary Pensions Orders 1949 to 1969 and shall be included in the Orders which may be cited together as the said Orders.

Commencement

2. This Order shall come into operation on 28th July 1969, and shall have effect as from 1st April 1969.

Amendments of the Royal Ulster Constabulary Pensions Order 1949

3. The Schedule to the Royal Ulster Constabulary Pensions Order 1949(**c**), as amended(**d**), shall be further amended as follows:—

(1) In sub-paragraph 13B(4) (which relates to the discretionary increase in a widow's special pension) for the words "and (5L)" there shall be substituted the words "(5L) and (5M)".

(2) In sub-paragraph 17(2) (which relates to awards made to widows before 5th July 1948) for the words "and (5L)" there shall be substituted the words "(5L) and (5M)".

(**a**) 9 & 10 Geo. 5. c. 68.
(**b**) 12 & 13 Geo. 5. c. 8 (N.I.).
(**c**) S.R. & O. (N.I.) 1949, No. 211.
(**d**) By the following S.R. & O. (N.I.):—1950, No. 172; 1952, No. 89; 1953, No. 156; 1954, Nos. 98 and 118; 1955, No. 115; 1956, No. 49; 1957, No. 214; 1958, Nos. 81 and 184; 1959, No. 135; 1960, No. 13; 1961, Nos. 93 and 176; 1963, No. 64; 1964, Nos. 48 and 158; 1965, No. 66; 1966, Nos. 68 and 245; 1967, Nos. 18 and 277; 1968, No. 128; 1969, No. 39.

(3) In sub-paragraph 57(5J) (which relates to the appropriate amount on which a pension increase would be based if the pension were increased under section 2 of the Pensions (Increase) Act (Northern Ireland) 1963(e))—

(*a*) for the words "fifty-five shillings and twopence" there shall be substituted "65s. 2d.";

(*b*) for the words "forty-six shillings and ninepence" there shall be substituted "55s. 3d.";

(*c*) for the words "thirty-eight shillings and ninepence" there shall be substituted "45s. 10d.".

(4) For sub-paragraph 57(5JJ) there shall be substituted the following sub-paragraph:—

"(5JJ) Where such amount as is mentioned in sub-paragraph (5I) is increased in accordance with that sub-paragraph—

(*a*) the amount of the increase thereunder shall be increased in accordance with sub-paragraph (5L) and for the purpose thereof shall be treated as if it were a pension which began for the purposes of the Pensions (Increase) Act (Northern Ireland) 1966(f) before 1st April 1957;

(*b*) the amount of the increase under sub-paragraph (5I) (increased as aforesaid) shall be further increased in accordance with sub-paragraph (5M) and for the purposes thereof shall be treated as if it were a pension which began for the purposes of the Pensions (Increase) Act (Northern Ireland) 1969(g) before 1st July 1955".

(5) In sub-paragraph 57(5K) for the words "and (5M)" there shall be substituted the words "and (5MM)".

(6) For sub-paragraph 57(5M) there shall be substituted the following sub-paragraphs:—

"(5M) Where it is provided in the Schedule that an amount shall be increased in accordance with this sub-paragraph it shall be increased by the amount (if any) by which a pension of the amount first mentioned would be increased under the Pensions (Increase) Act (Northern Ireland) 1969(g) if—

(*a*) the person concerned were in receipt of such a pension; and

(*b*) that pension were specified in Schedule 1 to that Act.

(5MM) For the purposes of sub-paragraph (5M) the reference in section 1(1) of the Pensions (Increase) Act (Northern Ireland) 1969 to an annual rate and the reference in paragraph 2 of Schedule 2 to that Act to an aggregate annual rate shall be construed, respectively, as a reference to the amount which falls to be increased expressed as an annual rate and as a reference to that amount after any increase in accordance with sub-paragraphs (5), (5A), (5B), (5D), (5F), (5H) and (5L), expressed as an annual rate.

(e) 1963. c. 3 (N.I.). (f) 1966. c. 5 (N.I.). (g) 1969. c. 5 (N.I.).

(5N) Where it is provided in this Schedule that an amount shall be increased in accordance with sub-paragraphs (5), (5A), (5B), (5D), (5F), (5H), (5L) or (5M)—

(*a*) any increase in accordance with sub-paragraph (5H) shall be additional to any increase in accordance with the said sub-paragraphs (5) to (5F) inclusive;

(*b*) any increase in accordance with sub-paragraph (5L) shall be additional to any increase in accordance with the said sub-paragraphs (5) to (5H) inclusive; and

(*c*) any increase in accordance with sub-paragraph (5M) shall be additional to any increase in accordance with the said sub-paragraphs (5) to (5L) inclusive".

(7) Sub-paragraph 57(5N) (which relates to the duration of an increase in a child's allowance) shall be re-numbered (5NN) and—

(*a*) for the words "or (5L)" there shall be substituted the words "(5L) or (5M)"; and

(*b*) for the words "the Pensions (Increase) Acts (Northern Ireland) of 1959, of 1963 and of 1966" there shall be substituted the words "the Pensions (Increase) Acts (Northern Ireland) of 1959, of 1963, of 1966 and of 1969".

(8) In Appendix II, Part I (which relates to the calculation of a widow's ordinary pension by reference to her husband's rank where he was not paying pension contributions at a rate related to 6¼% of his pensionable pay), paragraph 1 of Scheme I shall be amended as follows:—

(*a*) for the words "fifty-five shillings and twopence" there shall be substituted "65s. 2d";

(*b*) for the words "forty-six shillings and ninepence" there shall be substituted "55s. 3d."; and

(*c*) for the words "thirty-eight shillings and ninepence" there shall be substituted "45s. 10d.".

(9) In paragraph 2 of Scheme II of the said Part I for the words "and (5L)" there shall be substituted the words "(5L) and (5M)".

(10) In paragraph 1 of Part III of the said Appendix (which relates to the calculation of a widow's special pension) for the words "and (5L)" in both places where they occur there shall be substituted the words "(5L) and (5M)".

(11) In paragraph 1 of Part VII of Appendix II (which relates to the calculation of a widow's special pension where the husband's death results from an attack) for the words "and (5L)" there shall be substituted the words "(5L) and (5M)".

(12) In paragraph 2 of Part VIII of the said Appendix (which relates to the calculation of a widow's ordinary pension where her husband was paying pension contributions at a rate related to 6¼% of his pensionable pay) for the words "and (5L)" there shall be substituted the words "(5L) and (5M)".

(13) In paragraph 3 of the said Part VIII—

(*a*) for the words "fifty-five shillings and twopence" there shall be substituted "65s. 2d.";

(*b*) for the words "forty-six shillings and ninepence" there shall be substituted "55s. 3d.";

(*c*) for the words "thirty-eight shillings and ninepence" there shall be substituted "45s. 10d.".

(14) In paragraph 1 of Part I of Appendix III (which relates to the calculation of a child's ordinary allowance)—

(*a*) for the words "nineteen shillings and fivepence" there shall be substituted "23s. 0d.";

(*b*) for the words "sixteen shillings and tenpence" there shall be substituted "19s. 11d."; and

(*c*) for the words "fifteen shillings and fourpence" there shall be substituted "18s. 2d.".

(15) In paragraph 2 of the said Part I—

(*a*) for the words "thirty-two shillings" there shall be substituted "37s. 10d.";

(*b*) for the words "twenty-seven shillings and fourpence" there shall be substituted "32s. 4d."; and

(*c*) for the words "twenty-three shillings and ninepence" there shall be substituted "28s. 1d.".

(16) In Part II of the said Appendix (which relates to the calculation of a child's special allowance) for the words "and (5L)" in both paragraphs 1 and 2 there shall be substituted the words "(5L) and (5M)".

Dated this 28th day of July 1969.

R. W. Porter,
Minister of Home Affairs
for Northern Ireland.

The Ministry of Finance hereby signifies its concurrence in the foregoing Order.

Sealed with the Official Seal of the Ministry of Finance this 30th day of July 1969.

(L.S.) *James V. Morrison,*
Assistant Secretary.

EXPLANATORY NOTE

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

This Order amends the Royal Ulster Constabulary Pensions Order 1949 so as to provide for increases in the pensions and allowances of widows and children of deceased members of the Royal Ulster Constabulary corresponding to the increases in pensions generally under the Pensions (Increase) Act (Northern Ireland) 1969.