1970. No. 203 **[C]**

ROYAL ULSTER CONSTABULARY

Pensions

ORDER, DATED 24TH JULY 1970, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 4 OF THE CONSTABULARY AND POLICE (IRELAND) ACT 1919, SECTION 2 OF THE CONSTABULARY ACT (NORTHERN IRELAND) 1922 AND THE CONSTABULARY (PENSIONS) ACT (NORTHERN IRELAND) 1949.

I, the Right Honourable Robert W. Porter, Q.C., Minister of Home Affairs, with the concurrence of the Ministry of Finance, in exercise of the powers conferred on me by Section 4 of the Constabulary and Police (Ireland) Act 1919(a), Section 2 of the Constabulary Act (Northern Ireland) 1922 (b), the Constabulary (Pensions) Act (Northern Ireland) 1949(c) and of all other powers enabling me in that behalf and after consulting the Representative Bodies constituted by the said Act of 1919 hereby order as follows:—

Citation and commencement

1.—(1) This Order may be cited as the Royal Ulster Constabulary Pensions (Amending) (No. 2) Order 1970 and save as provided in paragraph (2) shall have effect as from 1st July 1970.

(2) Paragraph 1 of Appendix VI as set out in Article 2(15) shall have effect as from 1st May 1970.

Amendments of the Royal Ulster Constabulary Pensions Order 1949

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

(1) In paragraph 3(3)(a) for the words "the consent of the Governor of Northern Ireland" there shall be substituted the words "the consent of the Police Authority given with the approval of the Minister".

(2) Paragraph 3(4) is hereby revoked.

(3) In paragraph 47(1) after the word "Crown" there shall be inserted the words "or to the Police Authority".

(4) In paragraph 48(1) for the word "Minister" there shall be substituted the words "Police Authority".

(5) In the proviso to paragraph 48(2) for the words "upon the approval being signified annually by the Minister" there shall be substituted the words "upon the agreement of the Police Authority being signified annually, with the approval of the Minister".

(a) 9 & 10 Geo. 5. c. 68.
(b) 12 & 13 Geo. 5. c. 8 (N.I.).
(c) 1949. c. 9.
(d) S.R. & O. (N.I.) 1949, No. 211.
(e) By the following S.R. & O.s (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, Nos. 39, 204 and 228; 1970, No. 98.

(6) In paragraph 49(1) for the word "Minister" in each place in which it occurs there shall be substituted the words "Police Authority"; and after the word "member" where it first appears there shall be inserted the words "(not being a senior officer)".

(7) In paragraph 50 for the word "Minister" there shall be substituted the words "Police Authority".

(8) In paragraph 57(1) after the entry relating to "approved service" there shall be inserted the following entry:—" 'auxiliary member' means a person who immediately before 1st May 1970 was a member of the Ulster Special Constabulary performing full-time duty with the Royal Ulster Constabulary and who was embodied in the Royal Ulster Constabulary with effect from that date".

(9) In paragraph 57(1) after the words "police authority" there shall be inserted the words "in paragraphs 53 and 57(11)".

(10) In paragraph 57(1) after the entry relating to "police authority" there shall be inserted the following entry:—" 'the Police Authority' means the Police Authority for Northern Ireland constituted under the Police Act (Northern Ireland) 1970".

(11) In paragraph 57(1) after the entry relating to "Royal Ulster Constabulary Pensions Orders" there shall be inserted the following entry:—" 'senior officer' has the same meaning as in the Police Act (Northern Ireland) 1970".

(12) In paragraph 57(11) for the words "and the approval of the Ministry" there shall be substituted the words "or, in the case of a senior officer, with the consent of the Police Authority and the approval of the Minister".

(13) In paragraph 57(13) for the words from "to the Ministry and" to the end of the paragraph there shall be substituted the words "to the Police Authority with the approval of the Minister".

(14) After paragraph 61 there shall be added the following paragraph:—

"*Auxiliary members*

62. The provisions of Appendix VI shall apply in the case of an auxiliary member in substitution for the foregoing provisions of this Schedule".

(15) After Appendix V there shall be added the following Appendix:—

APPENDIX VI

Paragraph 62 (Schedule)

AUXILIARY MEMBERS

1. With effect from 1st May 1970 an auxiliary member shall pay pension contributions to the Ministry in accordance with the Ulster Special Constabulary Pensions (Regulations, 1950(f) as if his service in the Royal Ulster Constabulary were continued service in the Ulster Special Constabulary in the category in which he was serving immediately before 1st May 1970 and shall make or continue to make to the Ministry any payments which he undertook to make under those Regulations as a condition for the reckoning of any period as a period of pensionable service.

2. An award under the Ulster Special Constabulary Pensions Regulations 1950 may be made in respect of the service of an auxiliary member as if—

(f) S.R. & O. (N.I.) 1950, No. 97.

(a) his service in the Royal Ulster Constabulary were continued service as a member of the Ulster Special Constabulary in the category in which he was serving immediately before 1st May 1970; and

(b) the said Regulations were amended as follows with effect from 1st July 1970:—

(i) regulation 9(4) were revoked;

(ii) in regulations 12 and 52A the words "with the consent of the Governor of Northern Ireland" were omitted;

(iii) in regulations 50(1) and 51 for the word "Minister" in each place where it occurs there were substituted the words "Police Authority"; and

(iv) in regulation 56(1) after the entry relating to "permanent member" there were inserted the following entry:—

"'the Police Authority' means the Police Authority for Northern Ireland constituted under the Police Act (Northern Ireland) 1970."

Dated this 24th day of July 1970.

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 27th day of July 1970.

(L.S.)

C. F. Darling,
Assistant Secretary.

EXPLANATORY NOTE

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

This Order provides for the minor changes in the pensions scheme for the Royal Ulster Constabulary made necessary by the setting up of the Police Authority and for the continued application of the pensions scheme for the Ulster Special Constabulary to those members of that Force rendering full-time service with the Royal Ulster Constabulary on 30th April 1970 who on 1st May 1970 were embodied in regular Force.