**1960. No. 13** **[C]**

# ROYAL ULSTER CONSTABULARY

## Pensions

ORDER, DATED 27TH JANUARY, 1960, 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 four of the Constabulary and Police (Ireland) Act, 1919(a), section two of the Constabulary Act (Northern Ireland), 1922(b), and 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) Order, 1960, and shall be construed as one with the Royal Ulster Constabulary Pensions Orders, 1949 to 1959, and those Orders and this Order may be cited together as the Royal Ulster Constabulary Pensions Orders, 1949 to 1960.

*Commencement*

**2.** This Order shall come into operation on 27th January, 1960, and shall have effect as from 1st August, 1959.

*Amendment of the Schedule to the Royal Ulster Constabulary Pensions Order, 1949*

**3.** The Schedule to the Royal Ulster Constabulary Pensions Order, 1949(d), shall be amended in accordance with the provisions of the Schedule to this Order.

*Certificate*

**4.** 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 before the Order is made the Minister of Home Affairs shall consider any representations made by such body or bodies, has been fully observed.

Dated this 27th day of January, 1960.

*Brian Faulkner,*
Minister of Home Affairs
for Northern Ireland.

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(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.

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 28th day of January, 1960.

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

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## SCHEDULE

### AMENDMENTS OF THE SCHEDULE TO THE ROYAL ULSTER CONSTABULARY PENSIONS ORDER, 1949

*Interpretation*

1.—(1) In this Schedule, 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, and a reference to an Appendix shall be construed as a reference to an Appendix to the said Schedule.

(2) In this Schedule the expressions "1953 Order(**a**)", "1955 Order(**b**)", "1956 Order(**c**)", and "1957 Order(**d**)" mean in each case the Royal Ulster Constabulary Pensions (Amending) Order made in the year mentioned, the expression "1954 Order" means the Royal Ulster Constabulary Pension (Amendment) Order(**e**) dated 18th June, 1954, and the expression "1958 Order" means the Royal Ulster Constabulary Pensions (Amending) Order(**f**) dated 23rd May, 1958.

2. In sub-paragraph (2A) of paragraph 11, as set out in Article 1 of the 1957 Order and amended by Article 23 of that Order and by Article 1 of the 1958 Order (which relates to the calculation of a widow's ordinary pension), for the words "27th January, 1958" there shall be substituted the words "1st August, 1959".

3. In sub-paragraph (2) of paragraph 13, as set out in Article 25 of the 1957 Order and amended by Article 3 of the 1958 Order (which relates to the calculation of a widow's special pension), for the words "27th January, 1958" there shall be substituted the words "1st August, 1959".

4. In sub-paragraph (4) of paragraph 13A, as set out in Article 4 of the 1958 Order (which relates to the discretionary increase in a widow's special pension), for the words "and (5D)" there shall be substituted the words "(5D) and (5F)".

5. At the end of sub-paragraph (2) of paragraph 17, as set out in Article 6 of the 1957 Order (which relates to awards to widows made before the 5th July, 1948), there shall be added "and (*d*) sub-paragraph (5F)".

6. For sub-paragraph (1) of paragraph 21 as amended by Article 6 of the 1953 Order and by Article 7 of the 1957 Order there shall be substituted the following sub-paragraph:—

> "(1) Subject to the provisions of this Schedule, each of the children of such a member or person who has been a member as is described in sub-paragraph (2) shall be entitled to a child's ordinary allowance, and such allowance, including an allowance granted before 1st August, 1959, shall be determined in accordance with Part I of Appendix III."

7. In sub-paragraph (2) of paragraph 22, as set out in Article 7 of the 1953 Order and amended by Article 8 of the 1957 Order (which relates to the calculation of a child's special allowance), for the words "1st April, 1956" there shall be substituted the words "1st August, 1959".

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(**a**) S.R. & O. (N.I.) 1953, No. 156.
(**b**) S.R. & O. (N.I.) 1955, No. 115.
(**c**) S.R. & O. (N.I.) 1956, No. 49.
(**d**) S.R. & O. (N.I.) 1957, No. 214.
(**e**) S.R. & O. (N.I.) 1954, No. 98.
(**f**) S.R. & O. (N.I.) 1958, No. 81.

8. In sub-paragraph (1) of paragraph 23, as set out in Article 6 of the 1955 Order (which relates to the discretionary increase in a child's allowance), the proviso is hereby revoked.

9. At the end of sub-paragraph (2) of paragraph 27, as set out in Article 10 of the 1957 Order (which relates to awards to children made before the 5th July, 1948), there shall be added "and (*d*) sub-paragraph (5F)".

10. After sub-paragraph (5E) of paragraph 57, as set out in Article 12 of the 1957 Order (which relates to the application of the Pensions (Increase) Act (Northern Ireland), 1956(**a**), there shall be inserted the following sub-paragraphs:—

"(5F) Where it is provided in this Schedule that an amount shall be increased in accordance with this sub-paragraph it shall be increased by the amount by which a pension of the amount first mentioned would be increased if—

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

(*b*) that pension were specified in Part I of the First Schedule to the Pensions (Increase) Act (Northern Ireland), 1959(**b**).

(5G) For the purposes of sub-paragraph (5F) any reference in sub-section (1) of section one of the Pensions (Increase) Act (Northern Ireland), 1959, to an annual rate shall be construed, in relation to an amount which this Schedule provides shall be increased in accordance with the provisions of the said sub-paragraph, as a reference to that amount expressed as an annual rate or, as the case may be, to that amount after any increase thereof in accordance with the provisions of sub-paragraphs (5), (5A), (5B) or (5D), expressed as an annual rate."

11.—(1) In Scheme I of Part I of Appendix II, as amended by Article 13 of the 1953 Order and Article 13 of the 1957 Order (which relates to the calculation of a widow's ordinary pension)—

(*a*) for the rate "thirty-seven shillings and ninepence a week" there shall be substituted the rate "forty-two shillings and fourpence a week";

(*b*) for the rate "thirty-two shillings and a penny a week" there shall be substituted the rate "thirty-five shillings and elevenpence a week"; and

(*c*) for the rate "twenty-six shillings and sixpence a week" there shall be substituted the rate "twenty-nine shillings and eightpence a week".

(2) In paragraph 2 of Scheme II of the said Part I, as amended by Article 13 of the 1953 Order and by Article 13 of the 1957 Order, for the words "and (5D)" there shall be substituted the words "(5D) and (5F)".

12. In paragraph 1 of Part III of Apendix II, as amended by Article 15 of the 1953 Order and by Article 15 of the 1957 Order (which relates to the calculation of a widow's special pension), for the words "and (5D)", in both places where they occur, there shall be substituted the words "(5D) and (5F)".

13. In paragraph 1 of Part VII of Appendix II, as set out in Article 3 of the 1954 Order and amended by Article 16 of the 1957 Order (which relates to the calculation of a widow's special pension where the husband's death results from an attack), for the words "sub-paragraph (5D)" there shall be substituted the words "sub-paragraphs (5D) and (5F)".

14.—(1) In paragraph 1 of Part VIII of Appendix II, as set out in Article 21 of the 1956 Order and amended by Article 17 of the 1957 Order (which relates to the calculation of a widow's ordinary pension), for the words "paragraph 2" there shall be substituted the words "paragraphs 2 and 3".

(2) In paragraph 2 of the said Part VIII as amended by the 1957 Order—

(*a*) for the amount "thirty-seven shillings and ninepence" there shall be substituted the amount "forty-two shillings and fourpence";

(**a**) 1956. c. 7. (**b**) 1959. c. 10.

(*b*) for the amount "thirty-two shillings and a penny" there shall be substituted the amount "thirty-five shillings and elevenpence"; and

(*c*) for the amount "twenty-six shillings and sixpence" there shall be substituted the amount "twenty-nine shillings and eightpence".

(3) At the end of the said Part VIII there shall be added the following paragraph:—

"3. The amount of a widow's ordinary pension calculated in accordance with paragraph 1 shall be increased in accordance with the provisions of sub-paragraph (5F) of paragraph 57."

15.—(1) In paragraph 1 of Part I of Appendix III, as amended by Article 18 of the 1957 Order (which Part relates to the calculation of a child's ordinary allowance)—

(*a*) for the rate "eight shillings and eightpence a week" there shall be substituted the rate "fourteen shillings and tenpence a week";

(*b*) for the rate "seven shillings and a penny a week" there shall be substituted the rate "twelve shillings and elevenpence a week"; and

(*c*) for the rate "five shillings and tenpence a week" there shall be substituted the rate "eleven shillings and eightpence a week".

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

(*a*) for the rate "thirteen shillings and a penny a week" there shall be substituted the rate "twenty-four shillings and sevenpence a week";

(*b*) for the rate "ten shillings and eightpence a week" there shall be substituted the rate "twenty shillings and elevenpence a week"; and

(*c*) for the rate "eight shillings and ninepence a week" there shall be substituted the rate "eighteen shillings and twopence a week".

(3) Paragraph 4 of the said Part I is hereby revoked.

16. Part IA of the said Appendix III is hereby revoked.

17. In paragraphs 1 and 2 of Part II of Appendix III, as amended by Article 18 of the 1953 Order and by Article 20 of the 1957 Order (which Part relates to the calculation of a child's special allowance), for the words "and (5D)", in both places where they occur, there shall be substituted the words "(5D) and (5F)", and for the word "one-tenth" in the said paragraph 2 there shall be substituted the word "two-fifteenths".

18. Paragraph 1 of Part III of Appendix III is hereby revoked.

19. Part IIIA of the said Appendix III is hereby revoked.

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## EXPLANATORY NOTE

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

This Order which amends the Royal Ulster Constabulary Pensions Order, 1949, grants increases in the pensions and allowances of the widows and children of deceased members of the Royal Ulster Constabulary.

These widows and children were not covered by the Pensions (Increase) Act (Northern Ireland), 1959, and the purpose of the Order is to grant them increases appropriate to those set out in the Act.