qualified; provided that if the average daily enrolment of the school is not less than 25 or if the teacher has not successfully completed his period of probation, the appointment shall be for a limited period only."

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 6th day of April, 1965.

(L.S.) *J. M. Benn,*
Secretary.

The Ministry of Finance for Northern Ireland hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 6th day of April, 1965.

(L.S.) *R. H. Kidd,*
Assistant Secretary.

EXPLANATORY NOTE

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

The Regulations continue the provision in the principal Regulations that primary schools must be in operation for at least 200 days in each school year but permit schools to take a maximum of ten optional holidays within those 200 days. They also provide that the statutory minimum for the length of the school day for classes of pupils between 8 and 11 years of age will be increased by 30 minutes and permit the appointment as principal teacher of a small school of a qualified teacher who does not satisfy the normal requirement as to length of service.

1965. No. 66 **[C]**

ROYAL ULSTER CONSTABULARY

Pensions

ORDER, DATED 25TH MARCH, 1965, MADE BY THE MINISTER OF HOME AFFAIRS WITH THE CONCURRENCE OF THE MINISTER OF FINANCE 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 Robert William Brian McConnell, Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section 2 of the Constabulary Act (Northern Ireland) 1922(a), section 4 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:—

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

PART I

GENERAL

Citation

1. This Order may be cited as the Royal Ulster Constabulary Pensions (Amending) Order 1965 and shall be construed as one with the Royal Ulster Constabulary Pensions Orders 1949 to 1964, and those Orders and this Order may be cited together as the Royal Ulster Constabulary Pensions Orders 1949 to 1965.

Commencement

2. This Order shall have effect as from 29th March, 1965.

Certificate

3. I certify that section 4(2) 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.

Interpretation

4.—(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 "1958 (No. 2) Order"(**b**) means the Royal Ulster Constabulary Pensions (Amending) Order dated 24th November, 1958, the expression "1963 Order"(**c**) means the Royal Ulster Constabulary Pensions (Amending) Order made in the year mentioned and the expressions "1964 Order"(**d**) and "1964 (No. 2) Order"(**e**) mean the Royal Ulster Constabulary Pensions (Amending) Orders dated 18th March, 1964, and 28th September, 1964, respectively.

PART II

AMENDMENTS OF THE SCHEDULE RELATING TO DISCRETIONARY AWARDS TO WIDOWS AND CHILDREN

5. For paragraph 12(3) as set out in Article 24 of the 1963 Order (which relates to the discretionary increase in a widow's ordinary pension), there shall be substituted the following provision:—

> "(3) Subject to the provisions of sub-paragraph (4) the increase which may be granted in a pension to which this paragraph refers shall be an amount not exceeding one hundred and twelve shillings and sixpence a week during the first thirteen weeks that the pension is payable and thereafter, during the periods and in the conditions set out in Part II of Appendix II, an amount not exceeding eighty shillings a week."

(**a**) S.R. & O. (N.I.) 1949, No. 211.
(**b**) S.R. & O. (N.I.) 1958, No. 184.
(**c**) S.R. & O. (N.I.) 1963, No. 64.
(**d**) S.R. & O. (N.I.) 1964, No. 48.
(**e**) S.R. & O. (N.I.) 1964, No. 158.

6. For paragraph 13B(4), as set out in Article 25 of the 1963 Order and re-numbered by Article 9 of the 1964 (No. 2) Order (which relates to the discretionary increase in a widow's special pension), there shall be substituted the following provision:—

"(4) The amount up to which the pension may be increased shall be the amount, which shall be increased in accordance with the provisions of sub-paragraphs (5), (5A), (5D), (5F) and (5H) of paragraph 57, of one-sixth of her husband's annual pensionable pay for a week together with, for the first thirteen weeks that the pension is payable, an amount not exceeding one hundred and twelve shillings and sixpence a week and thereafter, during the periods and in the conditions set out in Part II of Appendix II, an amount not exceeding eighty shillings a week:

"Provided that, where the date on which the widow becomes entitled to a widow's special pension is the 1st July, 1949, or any later date this sub-paragraph shall apply as though for the words 'annual pensionable pay' there were substituted the words 'average pensionable pay'."

7. For paragraph 17(6) as set out in Article 26 of the 1963 Order (which relates to awards to widows made before 5th July, 1948), there shall be substituted the following provision:—

"(6) The rate up to which the pension referred to in sub-paragraph (3) may be increased or the rate at which the pension referred to in sub-paragraph (4) may be granted shall not exceed the rate up to which the pension could be increased if it had been awarded under the provisions of paragraph 11 and were increasable under the provisions of paragraph 12:

Provided that if the pension referred to in sub-paragraph (3) is a widow's special pension, it may be increased by an amount not exceeding eighty shillings a week."

8. Paragraph 27 (which relates to award to the child of a member who died before 5th July, 1948) shall be omitted.

9. For Part IX of Appendix II, as set out in Article 9 of the 1964 Order (which relates to the extent to which certain national insurance benefits are to be taken into account in calculating a widow's pension), there shall be substituted the following Part:—

"PART IX

COMPUTATION OF WIDOW'S BENEFIT AND RETIREMENT PENSIONS

1.—(1) For the purposes of Parts I, III, and VII of this Appendix—

(*a*) where a widow is entitled under the National Insurance Act (Northern Ireland) 1946(a) to a widow's allowance or retirement pension which is increased under section 22 of the said Act, that allowance or pension shall be deemed not to have been so increased;

(*b*) where a widow is entitled under the said Act to a widowed mother's allowance or a retirement pension which is increased under section 5 of the National Insurance Act (Northern Ireland) 1959(b) the allowance or pension shall be deemed not to have been so increased;

(a) 1946. c. 23. (b) 1959. c. 21.

(*c*) where a widow is entitled under the said Act of 1946 to a widowed mother's allowance under section 16(1)(*b*)(i) of that Act that allowance shall be deemed to be less than it is by the amount specified in sub-paragraph (2).

(2) The amount referred to in paragraph 1(1)(*c*) is the aggregate of—

(*a*) forty shillings for the only or eldest child included in the widow's family within the meaning of the Family Allowances Act (Northern Ireland) 1945(**a**);

(*b*) thirty-two shillings for the second child so included; and

(*c*) thirty shillings for each subsequent child so included."

10. For paragraph 2 of Part III of Appendix III, as amended by Article 28 of the 1963 Order, there shall be substituted the following paragraph:—

"2. Where the parent in respect of whose death the allowance is payable was the child's father and the father had attained the age of sixty-five on 5th July, 1948, and the mother of the child is dead, the child's allowance in respect of any week during which—

(i) no person is receiving a guardian's allowance under the National Insurance Act (Northern Ireland) 1946, in respect of that child;

(ii) the child is included in a family within the meaning of the Family Allowances Act (Northern Ireland) 1945;

(iii) where the child's allowance is a child's special allowance, no allowance is payable under section 21 of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946(**b**) in respect of that child; and

(iv) no grant is payable to or in respect of the child out of any naval, military or air force fund in pursuance of any royal warrant or other instrument or under any scheme made under the Personal Injuries (Emergency Provisions) Act 1939(**c**)

may be increased to a rate not exceeding forty shillings a week."

11. For paragraph 3(*a*), (*b*) and (*c*) of Part III of Appendix III as set out in Article 10 of the 1964 Order (which Part relates to a discretionary increase in a child's allowance) there shall be substituted the following sub-paragraphs:—

"(*a*) in the case of a child who is the only or eldest child included in a family within the meaning of the Family Allowances Act (Northern Ireland) 1945, to a rate not exceeding forty shillings a week;

(*b*) in the case of the second child so included to a rate not exceeding thirty-seven shillings a week;

(*c*) in the case of each subsequent child so included to a rate not exceeding thirty-five shillings a week".

12. Part VI of Appendix III (which Part relates to a discretionary increase in the allowance of the child of a member who died before 5th July, 1948) shall be omitted.

(**a**) 1945 c. 19.
(**b**) 1946. c. 21.
(**c**) 2 & 3 Geo. 6. c. 82.

PART III

AMENDMENT OF THE SCHEDULE RELATING TO THE GRANT OF A GRATUITY TO A WIDOW OR CHILD IN LIEU OF A PENSION OR ALLOWANCE

13. In paragraph 30B as set out in Article 6 of the 1958 (No. 2) Order (which limits the discretion to grant a gratuity in lieu of a widow's pension or child's allowance) for the words "paragraph 6A", in both places where they occur, there shall be substituted the words "paragraph 6A or 6B".

Dated this 25th day of March, 1965.

R. W. B. McConnell,
Minister of Home Affairs for Northern Ireland.

I, the Right Honourable Ivan Neill, Minister of Finance for Northern Ireland, hereby signify my concurrence in the foregoing Order.

Dated this 30th day of March, 1965.

Ivan 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, which amends the Royal Ulster Constabulary Pensions Order 1949, relates to police widows' pensions and children's allowances.

Articles 5, 6 and 7 increase the amount by which widows' pensions may be increased in those cases where increases are permitted.

Articles 10 and 11 make similar provision in relation to children's allowances.

Articles 8 and 12 delete from the principal Order references to the child of a member of the Royal Ulster Constabulary who died before 5th July, 1948.

Article 9 adjusts the extent of the abatement of a widow's pension by a national insurance widowed mother's allowance.