1966. No. 68 **[C]**

ROYAL ULSTER CONSTABULARY

Pensions

ORDER, DATED 31ST MARCH, 1966, 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 William Brian McConnell, 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, with the concurrence of the Ministry of Finance, do hereby order as follows:—

Citation

1. This Order may be cited as the Royal Ulster Constabulary Pensions (Amending) Order 1966, and shall be construed as one with the Royal Ulster Constabulary Pensions Orders 1949 to 1965, and those Orders and this Order may be cited together as the Royal Ulster Constabulary Pensions Orders 1949 to 1966.

Commencement

2. This Order shall come into operation on 1st April, 1966, and shall have effect as from 1st January, 1966.

Submission of Draft to Representative Body

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.

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

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

(2) For sub-paragraph 17(2) (which relates to awards to widows made before 5th July, 1948) there shall be substituted the following sub-paragraph:

(**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.

"(2) The amount of any such pension as provided by sub-paragraph (1) shall be increased in accordance with the following sub-paragraphs of paragraph 57:—(5); (5A) (and where the pension is calculated otherwise than by reference to annual pay, (5B); (5D); (5F); (5H) and (5L)."

(3) In paragraph 57(5I) (which relates to the application of the Pensions (Increase) Act (Northern Ireland) 1963(a)) after the words "in accordance with this sub-paragraph" there shall be inserted the words "then, subject to sub-paragraph (5JJ)".

(4) 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)—

(*a*) for the words "forty-seven shillings and sixpence" there shall be substituted the words "fifty-five shillings and twopence";

(*b*) for the words "forty shillings and threepence" there shall be substituted the words "forty-six shillings and ninepence"; and

(*c*) for the words "thirty-three shillings and fourpence" there shall be substituted the words "thirty-eight shillings and ninepence".

(5) After sub-paragraph 57(5J) there shall be inserted the following sub-paragraph:—

"(5JJ) Where such an amount as is mentioned in sub-paragraph (5I) is increased in accordance with that sub-paragraph 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(b) before 1st April, 1957."

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

(7) For sub-paragraph 57(5L) there shall be substituted the following sub-paragraphs:

"(5L) 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, if any, by which a pension of the amount first mentioned would be increased under the Pensions (Increase) Act (Northern Ireland) 1966 if—

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

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

(5LL) For the purposes of sub-paragraph (5L) the reference in section 1(1) of the Pensions (Increase) Act (Northern Ireland) 1966 to an annual rate and the reference in section 1(4) of 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 thereof in accordance with sub-paragraph (5); (5A); (5B); (5D); (5F) and (5H); expressed as an annual rate.

(5M) Where it is provided that an amount shall be increased in accordance with sub-paragraphs 57(5); (5A); (5B); (5D); (5F); (5H); or (5L)—

(a) 1963. c. 3 (N.I.). (b) 1966. c. 5 (N.I.).

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

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

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

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

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

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

(*a*) for the words "forty-seven shillings and sixpence" there shall be substituted the words "fifty-five shillings and twopence";

(*b*) for the words "forty shillings and threepence" there shall be substituted the words "forty-six shillings and ninepence"; and

(*c*) for the words "thirty-three shillings and fourpence" there shall be substituted the words "thirty-eight shillings and ninepence".

(10) In paragraph 2 of the said Scheme I for the words "sub-paragraph (5I)" there shall be substituted the words "sub-paragraphs (5I) and (5JJ)".

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

(12) 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 (5H)" there shall be substituted in both places in which they occur the words "(5H) and (5L)".

(13) 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 (5H)" there shall be substituted the words "(5H) and (5L)".

(14) 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 six-and-a-quarter per cent. of his pensionable pay) for the words "and (5H)" there shall be substituted the words "(5H) and (5L)".

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

(*a*) for the words "forty-seven shillings and sixpence" there shall be substituted the words "fifty-five shillings and twopence";

(*b*) for the words "forty shillings and threepence" there shall be substituted the words "forty-six shillings and ninepence"; and

(*c*) for the words "thirty-three shillings and fourpence" there shall be substituted the words "thirty-eight shillings and ninepence".

(16) In paragraph 4(*a*) of the said Part VIII for the words "sub-paragraph (5I)" there shall be substituted the words "sub-paragraphs (5I) and (5JJ)".

(a) 1959. c. 10.

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

(*a*) for the words "sixteen shillings and eightpence" there shall be substituted the words "nineteen shillings and fivepence";

(*b*) for the words "fourteen shillings and sixpence" there shall be substituted the words "sixteen shillings and tenpence"; and

(*c*) for the words "thirteen shillings and twopence" there shall be substituted the words "fifteen shillings and fourpence".

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

(*a*) for the words "twenty-seven shillings and sixpence" there shall be substituted the words "thirty-two shillings";

(*b*) for the words "twenty-three shillings and sixpence" there shall be substituted the words "twenty-seven shillings and fourpence"; and

(*c*) for the words "twenty shillings and fivepence" there shall be substituted the words "twenty-three shillings and ninepence".

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

Dated this 31st day of March, 1966.

R. W. B. McConnell,
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 31st day of March, 1966.

(L.S.)

R. R. Butler,
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 Royal Ulster Constabulary corresponding to those provided for pensioners generally in the Pensions (Increase) Act (Northern Ireland) 1966.