1968. No. 118 **[C]**

ROYAL ULSTER CONSTABULARY

Rent Allowance, etc.

ORDER, DATED 30TH APRIL 1968, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 4 OF THE CONSTABULARY AND POLICE (IRELAND) ACT 1919 AND SECTION 2 OF THE CONSTABULARY (NORTHERN IRELAND) ACT 1922.

I, the Right Honourable William Craig, 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 (Northern Ireland) Act 1922(b) and of all other powers enabling me in that behalf and after considering representations made 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 and Commencement

1. This Order may be cited as the Royal Ulster Constabulary (Rent Allowance, etc.) Order 1968 and shall come into operation on 1st May 1968, and save as provided in Article 4(5), shall have effect from 1st April 1968.

Revocation

2. The Royal Ulster Constabulary Allowances (Rent and Compensatory Grant) Order 1963(c) is hereby revoked.

Definitions

3.—(1) In this Order the following expressions shall have the meanings hereby respectively assigned to them:—

"family" means a member's wife and/or any child of his under the age of 19 years or, in relation to an unmarried or widowed member, a dependant relative living with him;
"the Force" means the Royal Ulster Constabulary;
"member" means a member of the Royal Ulster Constabulary;
"Ministry" means the Ministry of Home Affairs;
"year" means a year commencing on 6th April and ending on the following 5th April.

(2) In this Order a reference to a house shall be construed as including a reference to any other self-contained unit of living accommodation.

Rent Allowance

4.—(1) A member who is not provided with a house or quarters free of rent and rates shall be paid a rent allowance which shall be either a maximum limit allowance or a flat-rate allowance;

Provided that a member entitled to separation allowance under Article 4 of the Royal Ulster Constabulary Separation and Subsistence Allowances

(a) 9 & 10 Geo. 5, c. 68.
(b) 12 & 13 Geo. 5, c. 8 (N.I.).
(c) S.R. & O. (N.I.) 1963, No. 252.

Order 1968 (or who would be so entitled but for paragraphs (4) and (5) thereof) who is provided with quarters for himself shall for the purposes of this Article be deemed not to be provided with quarters but to occupy the house or live in the accommodation in which his family is living.

(2) A maximum limit allowance shall be paid to—

(*a*) a married man not separated from his wife;

(*b*) any other member (not being a married man separated from his wife) who—

(i) has attained the age of 30 years, and

(ii) has had 5 years' service (including service in another police force which may be reckoned as pensionable service for the purposes of the Royal Ulster Constabulary Pensions Order 1949(**d**), and

(iii) occupies as owner or tenant the accommodation in which he or she is living.

(3) A maximum limit allowance may with the approval of the Ministry be paid to—

(*a*) a man (not being one to whom paragraph (2) applies) who—

(i) is a widower or

(ii) is separated from, or has divorced or been divorced by, his wife;

(*b*) any other member (not being one to whom paragraph (2) applies) who has a dependant relative living with him or her,

and who in either case occupies as owner or tenant the accommodation in which he or she is living.

(4) Subject to paragraph (5) a maximum limit allowance shall, subject to the appropriate maximum limit specified in the Appendix, be the aggregate of the amount paid by the member in rates and—

(*a*) where the member owns the house he occupies the amount which in the opinion of the Commissioner of Valuation would be paid in rent therefor if the house were let unfurnished,

(*b*) where the member is living in unfurnished accommodation, the amount paid in rent therefor, or

(*c*) where the member is living in accommodation rented furnished such portion of the rent paid therefor as in the opinion of the Ministry relates to the accommodation, exclusive of furniture and services.

(5) Where on or after 1st May 1968 part of such house or accommodation as is referred to in paragraph (4) is let to a tenant or occupied by a lodger, the said aggregate shall be reduced by such portion of the payment made for that part as in the opinion of the Ministry relates to the accommodation so let or occupied, exclusive of furniture or services.

(6) Every member entitled to a rent allowance to whom paragraphs (2) and (3) do not apply shall be paid a flat-rate allowance which shall be equal to half the amount of the maximum limit for a member of the same rank.

(7) A member who is either a married man separated from his wife or a man who has divorced, or been divorced by his wife and who regularly makes periodic payments to her or for her benefit may, with the approval of the Ministry, be granted—

(**d**) S.R. & O. (N.I.) 1949, No. 211.

(*a*) where he is in receipt of a rent allowance under paragraph (1), an addition to that rent allowance, or

(*b*) where he is provided with a house or quarters free of rent and rates, a rent allowance,

equal to whichever is the lesser of the two following amounts, namely, the amount by which his former allowance exceeds his present allowance or the amount paid by him to or for the benefit of his wife or former wife.

(8) For the purposes of paragraph (7)—

(*a*) the expression "his former allowance" means—

(i) in relation to a man who, immediately before his wife commenced to live apart from him, was being provided with a house or quarters free of rent and rates, a sum not exceeding the maximum limit for his rank as set out in the Appendix fixed by the Ministry as the value for the time being of that house or those quarters;

(ii) in relation to any other man, the maximum limit allowance which would for the time being be payable to him if he were still entitled to such an allowance and the aggregate referred to in paragraph (5) were unchanged since his wife commenced to live apart from him;

(*b*) the expression "his present allowance" means the rent allowance which is being paid to the man under paragraph (1) or, as the case may be, a sum not exceeding the maximum limit for his rank as set out in the Appendix fixed by the Ministry as the value for the time being of the house or quarters with which he is provided.

Overlapping rent allowance

5. Where a member entitled to a cost of removal allowance under the relevant Royal Ulster Constabulary Allowances Order satisfies the Ministry that in connection with the removal of his household he is necessarily or reasonably liable for the rent of both his old and his new accommodation for an overlapping period he shall be paid an overlapping rent allowance of such amount for such period not exceeding 3 months as the Ministry may determine.

Compensatory Grant

6.—(1) In each year a member who has during the preceding year paid income tax in respect of a rent allowance or any compensatory grant paid to him in respect of his service in the Force shall be paid a compensatory grant.

(2) The amount of such compensatory grant shall be equal to the amount by which the income tax deducted during the preceding year, according to the tax tables prepared or prescribed by the Commissioners of Inland Revenue, from the member's emoluments in respect of his service in the Force is increased by the inclusion in such emoluments of a rent allowance or any compensatory grant.

(3) Where a member leaves the Force or dies he or his personal representative, as the case may be, shall then (if it has not already been paid) be paid the compensatory grant due to the member in the year in which he leaves or dies and a further compensatory grant equal to the amount by which the income tax deducted during that year, according to the tax tables prepared or prescribed by the Commissioners of Inland Revenue, from the member's emoluments in respect of his service in the Force is increased by virtue of the inclusion in such emoluments of a rent allowance or any compensatory grant.

Discharge of tax liability in respect of police house or quarters

7. Where a member is provided with a house or quarters free of rent and rates and his liability to pay income tax is increased—

(*a*) in consequence thereof, by virtue of section 47 of the Finance Act 1963(e); or

(*b*) in consequence of any payment required to be made by this Article;

that liability, to the extent that it is so increased, shall be discharged by the Ministry.

General

8. A member claiming any allowance under this Order shall comply with such directions as may be given by the Ministry from time to time as to the time and manner of claiming and certification.

Dated this 30th day of April 1968.

Wm. Craig,
Minister of Home Affairs
for Northern Ireland.

The Ministry of Finance hereby concurs in the foregoing Order.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 30th day of April 1968.

(L.S.)

James V. Morrison,
Assistant Secretary,
Ministry of Finance.

(e) 1963. c. 25.

APPENDIX

Maximum Limits of Rent Allowance

The maximum limits of rent allowance for the various ranks shall be as follows:—

Rank	*Maximum annual amount*		
	£	s	d
Inspector General	400	0	0
Deputy Inspector General ..	250	0	0
Commissioner, Belfast	250	0	0
County Inspector	205	0	0
District Inspector	180	0	0
Head Constable	148	4	0
Sergeant	141	14	0
Constable	135	4	0

EXPLANATORY NOTE

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

This Order replaces the Royal Ulster Constabulary Rent and Compensatory Grant Order of 1963, and as well as containing provision for the payment of rent allowances as in that Order it provides for a new type of rent allowance known as a "flat rate allowance", payable to certain members. There is also provision for the payment of additional rent allowances in certain cases.