Women Members, Pensions

ORDER, DATED 22ND MARCH, 1946, MADE BY THE MINISTER OF HOME AFFAIRS UNDER THE CONSTABULARY AND POLICE (IRELAND) ACT, 1919, AS APPLIED BY THE CONSTABULARY ACT (NORTHERN IRELAND), 1922.

1946. No. 47

I, THE RIGHT HONOURABLE EDMOND WARNOCK, K.C., 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, and by Section 4 of the Constabulary and Police (Ireland) Act, 1919, as applied by the said Act of 1922, and of all other powers enabling me in that behalf, do hereby order that as from the 1st June, 1943, the Pensions and Gratuities to be granted on retirement to Women Members of the Royal Ulster Constabulary and the Gratuities and Allowances of the children and dependent relatives of such Women Members shall be in accordance with the Rates, Scales and Conditions prescribed in the Schedules appended hereto.

And I certify that Sub-Section (2) of Section 4 of the Constabulary and Police (Ireland) Act, 1919, which 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 the Act and representing any rank or ranks affected, and that before making the Order the Ministry of Home Affairs shall consider any representations made by such body or bodies, has been fully observed.

This Order shall apply only to Women Members of the Royal Ulster Constabulary and may be cited as The Royal Ulster Constabulary (Women Members) Pensions Order, 1946.

Dated this 22nd day of March, 1946.

Edmond Warnock,
Minister of Home Affairs for Northern Ireland.

I, THE RIGHT HONOURABLE J. MAYNARD SINCLAIR, Minister of Finance for Northern Ireland, hereby signify my concurrence in the foregoing Order and Schedules thereto.

Dated this 3rd day of April, 1946.

J. M. Sinclair,
Minister of Finance for Northern Ireland.

SCHEDULES REFERRED TO IN THE FOREGOING ORDER

FIRST SCHEDULE

Definitions

1.—(1) In this Order, except where the context otherwise requires,

the following expressions shall have the respective meanings hereby assigned to them :—

" The Force " means the Royal Ulster Constabulary.

" Member of the Force " means any woman who was a member of the force on or after the 1st day of June, 1943.

" Inspector General " means the Inspector General of the Force.

" The Ministry " means the Ministry of Home Affairs.

" The Pay Order, 1944," means the Royal Ulster Constabulary (Women Members) Pay Order, 1944, and includes any order for the time being in operation amending or re-enacting that Order.

" The Existing Acts " means the Constabulary Act (Northern Ireland), 1922, and the enactments relating to the Royal Irish Constabulary as applied by that Act.

" Police force in Great Britain " means any police force in Great Britain within the meaning of the Police Pensions Act, 1921.

" Rateable deduction " means any deduction made from pay under Article 4 of the Schedule to the Pay Order, 1944.

(2) The Interpretation Act (Northern Ireland), 1921, applies to this Order as it applies to the interpretation of an Act of Parliament.

Age of Compulsory Retirement

2. The rates and scales of pay prescribed by the Pay Order, 1944, shall be subject to the following conditions with respect to retirement from the force :—

Retirement shall be compulsory for members of the force

(*a*) on attaining the age of fifty-seven, except that in special cases the Inspector General, with the consent of the Governor of Northern Ireland, may extend any such person's service for a further period, in no case exceeding five years, on being satisfied that such extension would be in the interests of efficiency.

(*b*) on marrying or, being a widow, on re-marrying.

Pensions and Gratuities of Members of the Force

3.—(1) Subject to the provisions of this Order, every member of the force—

(*a*) if she has completed twenty-five years' approved service, and has given to the Inspector General three months' written notice, or such shorter notice as the Inspector General may accept, of her intention to retire, shall be entitled, on the expiration of such notice, without a medical certificate to retire and receive an ordinary pension for life ; and

(*b*) if she has completed ten years' approved service, and is incapacitated for the performance of her duty by infirmity of mind or body, shall be entitled on a medical certificate to retire and receive an ordinary pension for life ; and

(*c*) if at any time she is incapacitated for the performance of her duty by infirmity of mind or body occasioned by an injury received in the execution of her duty without her own default, shall be entitled on a medical certificate to retire and receive a special pension for life ; and

(*d*) if she has not completed ten years' approved service and is incapacitated for the performance of her duty by infirmity of mind or body not occasioned by such injury as aforesaid shall be entitled on a medical certificate to retire and receive a gratuity.

(2) Where a member of the force is compelled to retire under this Order on the ground of age, then

(*a*) if she is not entitled without a medical certificate to retire and receive a pension she shall be entitled to receive such ordinary pension or gratuity as she would have been entitled to receive had she then retired on a medical certificate ; and

(*b*) any pension or gratuity to which she is entitled shall be payable as from her retirement and no notice of intention to retire shall be required.

(3) No gratuity shall be payable to a member of the force who retires before the expiration of any period which is treated under the Pay Order, 1944, as being a period of probationary service.

Allowances and Gratuities of Children and Dependants

4.—(1) Subject to the provisions of this Order—

(*a*) Where a member of the force dies whilst in the force or where a member of the force having been granted a pension dies within twelve months after the grant of the pension or at any time from the effects of an injury received in the execution of her duty without her own default, her children under sixteen years of age shall be entitled to allowances until they severally reach the age of sixteen years ; and

(*b*) Where the child of a member of the force is entitled to an allowance under this Order and the Inspector General satisfies the Ministry and the Ministry of Finance that there are special reasons for the grant of a gratuity in lieu thereof, the Ministry may, with the consent of the member's widower, or, if she leaves no widower, the guardian of the child, grant a gratuity accordingly ; and

(*c*) Where a member of the force dies whilst in the force or where a member of the force having been granted a pension, dies within twelve months after the grant of the pension, or at any time from the effects of an injury received in the execution of her duty without her own default, on the recommendation of the Inspector General the Ministry with the consent of the Ministry of Finance, may, if it thinks fit, grant a gratuity

to any relative, other than the widower, (if any), who has been substantially dependent on her, having regard both to the amount contributed by the deceased and to the needs of the dependants.

(2) No allowance or gratuity shall be payable in respect of any child of a deceased member or pensioner during the lifetime of the father of the child except where the Ministry is satisfied that he cannot support the child.

Scales of Pensions, Allowances and Gratuities

5. The Pensions, allowances and gratuities payable under this Order shall be awarded by the Ministry with the consent of the Ministry of Finance and shall be in accordance with the scale and provisions in the Second Schedule, and the general rules contained in Part III, of that Schedule shall apply to such pensions, allowances and gratuities.

Provided that where a member of the force or any child or dependant, other than the widower, of a member of the force receives any compensation in respect of the injury or death of the member, whether awarded under the Criminal Injuries (Ireland) Acts or awarded or paid otherwise, such compensation may be taken into account in assessing any pension, allowance or gratuity payable in respect of such injury or death, and such pension, allowance or gratuity may be reduced, suspended or disallowed accordingly, and where the compensation is received after assessment it may be taken into account and the assessment may be amended or cancelled accordingly, but no such reduction, suspension, disallowance, amendment or cancellation will be made in the case of an injury in respect of which an award under the Criminal Injuries (Ireland) Acts is made where it is shown to the satisfaction of the Ministry and the Ministry of Finance that in assessing such compensation the Court had cognisance of the fact that a pension or gratuity had been or would be awarded under the terms of this Order without reference to the decision of the Court on such claim for compensation.

Provided also that where a member of the force or any child or dependant of a member of the force is entitled to or is already in receipt of any pension, allowance or gratuity from the Imperial Government in respect of the incapacity or death of such member resulting from service in the Navy, Army, or Air Force or has commuted such pension or allowance or any part thereof, the amount of such pension, allowance or gratuity may be taken into consideration in the assessment of any pension, allowance or gratuity under this Order, and such pension, allowance or gratuity may be reduced, suspended or disallowed accordingly, if, in all the circumstances of the case, it seems equitable so to do.

Pensions of Members continuing to serve after Qualification for Pension

6.—(1) Where a member of the force is entitled to retire on a pension without a medical certificate, but continues to serve in the force, the

Ministry on the recommendation of the Inspector General and with the consent of the Ministry of Finance, may direct that the member shall be entitled, on retiring at any time thereafter, to receive a pension not less in amount than that to which she would have been entitled if she had retired instead of continuing in the force, and in such case the right to receive on retirement such pension shall not, while she continues to serve in the force, be liable to forfeiture, except in the cases in which a pension when granted is liable to forfeiture under this Order.

(2) Before such direction is given, and every year thereafter, the Inspector General shall cause such member of the force to be examined by some duly qualified medical practitioner, and, if on any such examination it is found that she is not physically fit for further service, the Inspector General shall not permit her to continue to serve in the force.

(3) Where such a direction is given, a member of the force, who is entitled to retire without a medical certificate and to receive a pension at the maximum rate provided by this Order, may be granted by the Ministry with the consent of the Ministry of Finance, in consideration of her continuing to serve, an allowance at the rate not exceeding twelve-and-a-half per cent. of her pay. Any such allowance, if granted, shall not be reckoned in the calculation of the amount of pension or gratuity awarded, and no rateable deduction shall be made therefrom.

Service to be reckoned for Pension

7.—(1) Section 4 of the Constabulary (Ireland) Act, 1908, shall cease to have effect and the service of a member of the force for the purposes of this Order shall be subject to such deductions in respect of sickness, misconduct or neglect of duty as may be made therefrom in pursuance of the rules contained in the Third Schedule of this Order and the expression "approved service" shall, for the purposes of this Order mean such service as may, after such deduction as aforesaid (if any), be certified by the Inspector General to have been diligent and faithful service.

(2) Where a deduction is made from the service of a member of the force in respect of sickness, misconduct or neglect of duty, notice of deduction shall be given to her as soon as may be after the occurrence of the cause for which the deduction is made; and she may appeal to the Inspector General against any act of any superior officer which prevents her from reckoning any period of actual service as approved service, and any period of actual service allowed by the Inspector General on such appeal shall be deemed to be approved service.

Continuous Service in two or more Forces

8. Where a member of the force has previously served in a police force or forces in Great Britain approved service in such force or forces in which she has completed not less than one year's approved service shall be reckoned as approved service in the Royal Ulster Constabulary.

Provided that no such previous service shall be so reckoned unless each removal has been made with the written sanction of the chief officer of the force from which the member removes.

Discontinuous Service in the Royal Ulster Constabulary

9. Where a member of the force who has retired from the force without a pension rejoins or has rejoined the force there shall be reckoned as approved service the period of approved service which she was entitled to reckon at the end of her previous service, if she repays to the Ministry the amount of any gratuity which may have been granted to her or any sums paid to her under the provisions of Article 16 of this Schedule.

Hospital Treatment subsequent to Discharge on Pension

10. Where a member of the force has been awarded a pension in consequence of an injury received on duty without her own default, and the Ministry is satisfied on the evidence of some duly qualified medical practitioner or practitioners selected by it with the approval of the Ministry of Finance that the member's state of health resulting from such injury, necessitates treatment in hospital subsequent to her discharge on pension, payment of hospital expenses may be made by the Ministry subject to such terms and conditions, including temporary re-assessment of pension, as may be determined from time to time by the Ministry with the consent of the Ministry of Finance.

Proof of Incapacity for Duty, Liability to serve again and Revision of Pension

11.—(1) Before granting a pension or gratuity on the ground that a member of the force is incapacitated by infirmity of mind or body for the performance of her duty the Ministry shall be satisfied by the evidence of some duly qualified medical practitioner or practitioners selected by it with the approval of the Ministry of Finance that the member is so incapacitated and that the incapacity is likely to be permanent.

(2) Where the application is for a special pension, the Ministry and the Ministry of Finance shall also be satisfied that the injury was received in the execution of duty, that it was received without default of the applicant, and that the infirmity is attributable to the injury, and shall determine whether the injury was accidental or not, and the degree of disablement; and, for the purpose of determining any of the said questions which ought to be determined on medical grounds, shall take the like evidence as above mentioned.

(3) Where any pension is granted on the ground of incapacity for the performance of duty, the Ministry shall, yearly or otherwise,

until the power under this Article of requiring the pensioner to serve again ceases, satisfy itself that the incapacity continues, and unless the Ministry decides that such evidence is unnecessary, shall satisfy itself by the like evidence as above mentioned.

(4) In the event of the incapacity ceasing before the time at which the pensioner would, if she had continued to serve, have been entitled without a medical certificate to retire and receive a pension for life, the Ministry on the recommendation of the Inspector General may cancel her pension and the Inspector General may require her to serve again in the force, in a rank not lower than the rank which she held before her retirement, and at a rate of pay not less than that on which her pension was calculated.

(5) Where a pensioner so serves again, the provisions of this Order shall apply as if she had not previously retired save that, except where the pension was granted in respect of a non-accidental injury received in the execution of duty she shall not reckon as approved service the time which elapsed between her former retirement and the re-commencement of her service.

(6) Any special pension shall be granted for such period as may be fixed after report by the Inspector General of the circumstances of the case, by the Ministry with the consent of the Ministry of Finance, and, if at the expiration of that period the degree of disablement is unaltered, the pension shall, at the discretion of the Ministry, be either renewed from time to time or made permanent. If within five years of the pensioner's retirement or at any time before the pension is made permanent the Ministry and the Ministry of Finance are satisfied by the evidence of a duly qualified medical practitioner that the degree of the pensioner's disablement has substantially altered, the pension shall be reassessed according to the degree of disablement.

(7) If a member of the force or pensioner refuses or wilfully or negligently fails, when required by the Inspector General to be examined by some duly qualified medical practitioner selected as aforesaid, the Ministry on the report of the Inspector General and with the consent of the Ministry of Finance may deal with her in all respects as if it was satisfied by the evidence of such a practitioner as to whether the member is incapacitated for the performance of duty, or, as the case may be, as to the degree of her disablement.

Power to Reduce Pension where Infirmity is due to Misconduct

12. Where a member of the forces retires on account of infirmity of mind or body, and the Ministry and the Ministry of Finance are satisfied on medical evidence that the member has brought about or contributed to the infirmity by her own default or her vicious habits, the Ministry may with the consent of the Ministry of Finance reduce the amount of her pension or gratuity by an amount not exceeding one-half of that to which she would be otherwise entitled.

Assignment of Pensions and Regulations as to Payment of Pensions, etc.

13. The following provisions shall have effect with respect to every pension, allowance and gratuity (in this Article referred to as a grant) payable under this Order to any person (in this Article referred to as the pensioner) :—

(1) Every assignment of and charge on a grant, and every agreement to assign or charge a grant, shall, except so far as made for the benefit of the family of the pensioner, be void, and on the bankruptcy of the pensioner the grant shall not pass to any trustee or other person acting on behalf of the creditors.

(2) Where any sum is due from the pensioner to the Ministry or to any department of the Government of Northern Ireland or to the Crown, the Ministry may deduct the amount of any such sum from the grant.

(3) On the death of a pensioner to whom a sum not exceeding one hundred pounds is due on account of a grant, then, if the Ministry so directs, probate or other proof of the title of the personal representatives of the deceased may be dispensed with and the sum may be paid or distributed to or among the persons appearing to the Ministry to be beneficially entitled to the personal estate of the deceased pensioner or to or among any one or more of those persons, or in the case of the illegitimacy of the deceased pensioner, to or among such persons as the Ministry may think fit, and the Ministry and the Inspector General or any member (man or woman) of the force making the payment shall be discharged from all liability in respect of any such payment or distribution.

(4) Every grant which is a pension or allowance shall be paid, after the first instalment, in advance, except in the case of a refusal to quit police quarters or premises owned or rented by or on behalf of the Ministry or any other Department of the Government of Northern Ireland or to give up any equipment or to make any payment due to the Ministry; but, where a person dies whilst in receipt of a grant paid in advance, no return shall be required of any payments which have been made in respect of any period after her death.

Forfeiture of Pension or Allowance

14.—(1) A pension or allowance under this Order is granted only upon condition that it becomes forfeited and may be withdrawn by the Ministry on the report of the Inspector General on the circumstances of the case, with the consent of the Ministry of Finance, in any of the following cases, that is to say, if the grantee—

(*a*) is convicted of any offence and is sentenced to penal servitude or to imprisonment for a term exceeding three months; or

(*b*) knowingly associates with thieves or reputed thieves; or

(*c*) refuses to give to the police all information and assistance in the power of the grantee, for the detection of crime, for the apprehension of criminals, or for the suppression of any disturbance of the public peace; or

(*d*) enters into or continues to carry on any business, occupation or employment which is illegal, or in which the grantee has made use of the fact of former employment in the force in a manner which the Inspector General considers to be discreditable or improper; or

(*e*) supplies to any person or publishes in a manner which the Inspector General considers to be discreditable or improper any information which the grantee may have obtained in the course of employment in the force; or

(*f*) solicits or, without the consent of the Inspector General, accepts directly or indirectly any testimonial or gift of a pecuniary value on retirement from the force, or otherwise in connection with her service in the force; or

(*g*) enters into or continues in any business, occupation or employment as a private detective, after being prohibited to do so by the Inspector General on any reasonable grounds; or

(*h*) is guilty of any conduct which is illegal, or in the opinion of the Inspector General and the Ministry disgraceful.

(2) Such forfeiture and withdrawal may affect the pension or allowance wholly or in part, and may be permanent or temporary as the Ministry on the report of the Inspector General with the consent of the Ministry of Finance may determine.

Suspension of Pension in case of Service in another Force, etc.

15.—(1) Where a person in receipt of a pension under this Order takes service in any police force or is appointed to any office remunerated out of moneys provided by Parliament or which is a public office within the meaning of the Superannuation Act, 1892, the Ministry on the report of the Inspector General and with the consent of the Ministry of Finance may suspend her pension in whole or in part so long as she remains in that service or office.

(2) The Ministry on the report of the Inspector General may with the like consent cancel or reduce the allowance which would otherwise have been payable under this Order to a child, if the child is in receipt of an allowance from some police or other authority in respect of any such service or appointment as aforesaid taken or held by its mother.

For the purposes of this Article "Parliament" shall include any Parliament in the British Islands.

Return of Rateable Deductions

16.—(1) Where a member of the force, not having been dismissed or required to retire as an alternative to dismissal, leaves the force without a pension or gratuity, the Ministry except where the member leaves in such circumstances as will enable her to reckon her approved service in the force for the purpose of pension, shall pay her the whole of the rateable deductions which have been made from her pay.

(2) Where a member of the force is required to retire as an alternative to dismissal the Ministry on the report of the Inspector General and with the consent of the Ministry of Finance may pay her the whole or any part of any rateable deductions which have been made from her pay, or apply the same in such manner as the Ministry think fit for the benefit of the member's children (if any) and, where a member of the force is dismissed, the Ministry, on the report of the Inspector General, and with the consent of the Ministry of Finance may apply the whole or any part of such rateable deductions in such manner as the Ministry thinks fit for the benefit of her children (if any).

Existing Acts

17. The provisions of existing Acts shall in relation to the matters dealt with in this Order have effect subject to the Order and so far as inconsistent with the Order those provisions shall cease to have effect :

Provided that nothing in this Order shall prejudice any existing right of dismissing a member of the force, or requiring her to retire as an alternative to dismissal, or reducing her to any lower rank or lower rate of pay, or shall prevent her claim to a pension from being refused on account of misconduct or on account of any of the grounds on which her pension, if granted, would be liable to be forfeited and withdrawn.

Meaning of "Total Disablement," etc.

18. For the purposes of this Order—

(1) The expression "Total Disablement" means total loss of earning capacity in any employment, and, in the case of partial disablement, the degree of disablement shall be based upon the degree to which earning capacity is affected.

(2) Any injury suffered by a member of the force :

(*a*) whilst on duty or whilst on a journey necessary to enable her to report for duty or to return home after duty ; or

(*b*) whilst not on duty in the performance of some act which is within the scope of her ordinary duties ; or

(*c*) in consequence of some act performed in the execution of her duty ; or

(*d*) whilst assisting in the extinguishing of fire, or in protecting life or property from fire ; or

(*e*) which has been determined by a Court of Law to be a Criminal injury within the meaning of the Criminal Injuries (Ireland) Acts,

shall be deemed to have been suffered in the execution of her duty.

(3) Any injury intentionally inflicted, or incurred in the performance of a duty involving special risks, shall be deemed to be a non-accidental injury.

Second Schedule

Scales of Pensions, Allowances and Gratuities

Part I

Members of the Force

(*a*) *Ordinary Pensions*

Scales

1. On retirement after completing twenty-five or more years' service.	1/60th of the annual pay for every completed year of approved service with an additional 1/60th of the annual pay for the 21st and every subsequent completed year of approved service but so that the pension shall not exceed two-thirds of the annual pay.
2. On retirement with medical certificate after completing ten or more years' service.	

(*b*) *Special Pensions*

3. On total disablement from an injury received in the execution of duty—

(*a*) if the injury is non-accidental, such proportion of the annual pay as is specified in scale number 1 set out in the subjoined table ;

(*b*) if the injury is accidental, such proportion of the annual pay as is specified in scale number 2 in the said table ;

(*c*) if it is not possible to determine definitely whether the injury is accidental or non-accidental such rate intermediate between the rates prescribed in the preceding paragraphs (*a*) and (*b*) as the Ministry with the consent of the Ministry of Finance may determine.

4. On partial disablement from an injury received in the execution of duty—such proportion of the pension applicable in case of total disablement as the degree of disablement bears to total disablement.

Provided that the pension shall not be less than such proportion of the annual pay as is specified, if the injury was non-accidental, in scale number 3 in the subjoined table and otherwise in scale number 4 in the said table.

(*c*) *Gratuities*

5. On retirement with Medical Certificate with less than ten years' approved service—the gratuity shall be an amount equal to one-twelfth

of the annual pay for each completed year of approved service, provided that for the purpose of this assessment, the approved service shall be reckoned by adding to actual service a period not exceeding five years.

TABLE

SCALES OF PENSIONS

Proportion of Pension to Pay on Retirement

Completed years of approved service.	Scale No. 1 — On total disablement from non-accidental injury received in execution of duty.	Scale No. 2 — On total disablement from accidental injury received in execution of duty.	Scale No. 3 — On partial disablement from non-accidental injury.	Scale No. 4 — On partial disablement from accidental injury.
	60ths	60ths	60ths	60ths
1 or less	45	30	20	10
2 ,,	45	30	20	10
3 ,,	45	30	20	10
4 ,,	45	30	20	10
5 ,,	45	30	20	10
6 ,,	45	30	20	10
7 ,,	45	30	20	10
8 ,,	45	30	20	10
9 ,,	45	30	20	10
10 ,,	45	30	20	10
11 ,,	48	32	21	11
12 ,,	48	32	22	12
13 ,,	48	32	23	13
14 ,,	48	32	24	14
15 ,,	48	32	25	15
16 ,,	51	34	26	16
17 ,,	51	34	27	17
18 ,,	51	34	28	18
19 ,,	51	34	29	19
20 ,,	51	34	30	20
21 ,,	54	36	32	22
22 ,,	54	36	34	24
23 ,,	54	36	36	26
24 ,,	54	36	38	28
25 ,,	54	36	40	30
26 ,,	57	38	40	32
27 ,,	57	38	40	34
28 ,,	57	38	40	36
29 ,,	57	38	40	38
30 or over	60	40	40	40
	Proportion of Pension to pay on retirement.			

Part II

Children and Dependants

(*a*) *Children's Allowances*

6. Member of the force or pensioner dying as the result of non-accidental injury received in the execution of duty.—Subject to the provisions of this Order the allowance in respect of each child who has not attained the age of sixteen shall be an annual allowance, up to the time that the child attains the age of sixteen, at the rate of one-fifteenth of the annual pay, and if the father of the child is dead, or dies before all the children attain the age of sixteen, the allowance may be increased up to two-fifteenths of such pay in respect of each child under the age of sixteen ; but in any case the aggregate amount paid in any year by way of children's allowances shall not exceed two-thirds of such pay.

7. Member of the force or pensioner dying from any other cause.—Subject to the provisions of this Order the allowance in respect of each child who has not attained the age of sixteen shall be an annual allowance up to the time that child attains the age of sixteen at the rate of :—

£10 in the case of a person who was a Constable or Sergeant at the time of her death or retirement ;

£12 in the case of a person who was a Head Constable at the time of her death or retirement :

Provided that the aggregate amount of such allowances in any year shall not exceed £30 and £40 in the two cases respectively, but if the father of the child is dead, or dies before all the children attain the age of sixteen, the actual allowance or allowances and the aggregate amount of any allowances may be increased by 50% above the sums hereinbefore mentioned.

(*b*) *Children's Gratuities*

8. The gratuity shall be of such amount as the Ministry, with the consent of the Ministry of Finance, may determine, not exceeding one-sixtieth of the annual pay for each completed year of approved service of the member of the force or pensioner, so that the total amount of any gratuity or gratuities granted to the children does not exceed one-twelfth of the annual pay for each completed year of approved service and the total amount of any gratuities granted to the children shall not, in any case, exceed the annual pay.

Where a member of the force has served for a period of less than seven years, her approved service shall, for the purpose of this assessment, be reckoned as seven years.

(*c*) *Dependant's Gratuities*

9. The total amount of any gratuity or gratuities paid to a dependant or dependants other than the widower of a member of the force or pensioner shall be of such amount as the Ministry, with the consent of the Ministry of Finance, shall determine, but not exceeding one-twelfth

of the annual pay for each completed year of approved service, provided that, for the purpose of this assessment, the approved service, if less than seven years, shall be reckoned by adding to actual service a period not exceeding five years.

PART III

General Rules

10. The same person shall not be entitled, unless expressly so provided in this Order, to a gratuity in addition to a pension or allowance, or to both an ordinary pension and a special pension.

11. A gratuity shall be paid in one sum, except that in special cases it may be paid by instalments or applied on behalf of the grantee if the Ministry on the recommendation of the Inspector General considers that it would be to the advantage of a child or dependant to do so; and a child's allowance or gratuity or a dependant's gratuity may be paid to a guardian or trustee if the Ministry on the recommendation of the Inspector General considers that it would be to the advantage of the child or dependant to do so.

12. The children of a deceased member or pensioner shall not receive any allowance or gratuity unless the marriage took place before her recruitment to the force.

13.—(*a*) In calculating any pension, gratuity or allowance, for the purposes of this order, " annual pay " means annual pay at the date of death or retirement as the case may require :

Provided that :—

(1) Where a member of the force at the date of her retirement or death holds a rank to which she has been promoted within the three preceding years, her annual pay at the date of the retirement or death shall be deemed to be the average annual amount of pay received by her for the said three years, instead of the annual amount actually received by her at that date, so, however, that the pension, allowance or maximum gratuity payable shall not be less than if she had continued in her former rank ; and

(2) Where the pay at the date of death or retirement was weekly pay, the amount of the annual pay shall be deemed to be fifty-two times the amount of the weekly pay.

(*b*) For the purpose of the foregoing provisions of this rule, the following shall be recognised as ranks in the force, that is to say :—

Head Constable
Sergeant
Constable

THIRD SCHEDULE

Rules with respect to Deductions from Approved Service for Sickness, Misconduct or Neglect of Duty

1. A member of the force who on account of illness or for other cause (not being an injury suffered in the execution of her duty) is

allowed leave of absence or suspended, and who does not subsequently resume the performance of her regular duties for one month at least, is not entitled to have the time of such absence or suspension reckoned as part of her period of approved service.

2. A member of the force who is suspended for a week, or longer, on account of misconduct is not entitled to have the time of such suspension reckoned as part of her period of approved service unless she is re-instated with pay during suspension.

3. A member of the force who is absent from duty without leave is not entitled to have the time of absence reckoned as part of her period of approved service.

SUMMARY JURISDICTION

Petty Sessions, Districts and Times, p. 513 | *Separation and Maintenance, Rules*, p. 516

Petty Sessions Districts and Times

ORDER, DATED 29TH JANUARY, 1946, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER THE SUMMARY JURISDICTION AND CRIMINAL JUSTICE ACT (NORTHERN IRELAND), 1935.

1946. No. 11

In pursuance of the provisions of sub-section (1) of Section 10 of the Summary Jurisdiction and Criminal Justice Act (Northern Ireland), 1935, the Ministry of Home Affairs, after consultation with the County Court Judge and the Resident Magistrate concerned, hereby orders and directs as follows :—

1. As and from the 1st day of March, 1946, the times when Petty Sessions shall be regularly held in the districts set out in the first column of the Schedule to this Order shall be as set out in the second column of the Schedule opposite the name of the Petty Sessions district.

2. When the time fixed or appointed for the holding of Petty Sessions for any district falls on Christmas Day or Good Friday, the time fixed or appointed for the holding of such Petty Sessions shall be altered to the time fixed or appointed for the next following holding of a Petty Sessions for that district.

3. All previous Orders fixing the times of holding Petty Sessions are hereby revoked.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 29th day of January, 1946, in the presence of

(L.S.) *H. C. Montgomery*,
Assistant Secretary.