SPECIAL CONSTABLES

1957 No. 750

The Special Constables (Pensions) Order, 1957

Made - - - - *29th April*, 1957
Laid before Parliament *3rd May*, 1957
Coming into operation in accordance with Regulation 5

At the Court at Windsor Castle, the 29th day of April, 1957

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by the Special Constables Act, 1914(a) (as amended by the Special Constables Act, 1923(b)), and by section seven of the Pensions (Increase) Act, 1956(c), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Amendments of the Special Constables (Pensions) Order, 1955, relating to widows' pensions and children's allowances

1.—(1) In the application of the Police Pensions Regulations, 1955(d), to the pension of a widow or the allowance of a child of a special constable under the Special Constables (Pensions) Order, 1955(e), those Regulations shall apply as amended by—

(*a*) the Police Pensions Regulations, 1956(f) (which amendment relates to the limitation on an award to a widow living apart from her husband);

(*b*) the Police Pensions (No. 2) Regulations, 1956(g) (which amendments relate to increases in widows' pensions and children's allowances); and

(*c*) the Police Pensions (No. 3) Regulations, 1956(h) (which amendments extend the periods during which a discretionary increase in a widow's pension is payable, adjust the extent of the abatement of a widow's pension by a national insurance widowed mother's allowance, extend the period for which a child's allowance is payable where he is receiving full-time education or is an apprentice, provide for increases in certain children's allowances and relax certain conditions relating to the amounts of widows' pensions and children's allowances).

(a) 4 & 5 Geo. 5. c. 61.
(b) 13 & 14 Geo. 5. c. 11.
(c) 4 & 5 Eliz. 2. c. 39.
(d) S.I. 1955/480 (1955 II, p. 1903).
(e) S.I. 1955/701 (1955 II, p. 1888).
(f) S.I. 1956/385 (1956 II, p. 1808).
(g) S.I. 1956/1158 (1956 II, p. 1818).
(h) S.I. 1956/2077 (1956 II, p. 1832).

(2) In accordance with paragraph (1) of this Regulation—

(*a*) in Regulation 1 of the said Order of 1955 (in which the expression "principal Regulations" is defined) after the words "the Police Pensions Regulations, 1955" there shall be inserted the words "as amended by the Police Pensions Regulations, 1956, the Police Pensions (No. 2) Regulations, 1956, and the Police Pensions (No. 3) Regulations, 1956";

(*b*) in Regulation 2 of the said Order of 1955 (which relates to a widow's special pension) for the words "and paragraph (1) of Regulation 69" there shall be substituted the words "paragraph (1) of Regulation 69 and Regulation 69A"; and

(*c*) in Regulation 3 of the said Order of 1955 (which relates to a child's special allowance) for the words "and paragraph (1) of Regulation 69" there shall be substituted the words "paragraph (1) of Regulation 69 and Regulation 69A".

Amendments of the Special Constables (Pensions) Order, 1955, relating to notional average pensionable pay

2.—(1) For paragraphs 1 and 2 of the Schedule to the said Order of 1955 (which relates to the calculation of awards) there shall be substituted the following paragraph:—

"1. For the purpose of calculating an award under this Order to a special constable who ceases to serve as such on or after the sixth day of May, nineteen hundred and fifty-seven, or to a widow or child of any special constable who dies on or after that day, the special constable's average pensionable pay or average pensionable pay for a period of a week shall be deemed to be the sum set out, opposite the period during which he ceased to hold office, in the second column of the appropriate Table to this Schedule, with an addition of the sum so set out in the third column of the said Table for each completed year of service as a special constable from the date of his appointment as such, subject to the maximum, if any, so set out in the fourth column of the said Table:

Provided that in the case of a special constable who ceased to serve as such on or after the twentieth day of December, nineteen hundred and forty-five, but before the eighth day of September, nineteen hundred and fifty-five, no account shall be taken of the first two completed years of service as a special constable.

In this paragraph the expression "appropriate Table" means, in the case of a special constable who is a man, the first Table to this Schedule and, in the case of a special constable who is a woman, the second Table to this Schedule.".

(2) In paragraph 3 of the said Schedule for the words "paragraphs 1 and 2" there shall be substituted the words "paragraph 1".

(3) For the Tables to the said Schedule there shall be substituted the following Tables:—

"FIRST TABLE

Men

Period during which office ceased to be held	Average pensionable pay or average pensionable pay for period of a week	Increment	Maximum
Before 20th December, 1945 ...	70s. a week	1s.	—
On or after 20th December, 1945, but before 21st May, 1947 ...	90s. a week	1s. 6d.	117s. a week
On or after 21st May, 1947, but before 1st July, 1949	105s. a week	1s. 6d.	132s. a week
On or after 1st July, 1949, but before 3rd August, 1951 ...	£330 a year	£5	£420 a year
On or after 3rd August, 1951, but before 14th January, 1954	£400 a year	£5	£505 a year
On or after 14th January, 1954, but before 8th September, 1955	£445 a year	£5	£550 a year
On or after 8th September, 1955, but before 1st February, 1957	£475 a year	£7 10s.	£640 a year
On or after 1st February, 1957	£490 a year	£7 10s.	£660 a year

SECOND TABLE

Women

Period during which office ceased to be held	Average pensionable pay or average pensionable pay for period of a week	Increment	Maximum
Before 20th December, 1945 ...	70s. a week	1s.	—
On or after 20th December, 1945, but before 21st May, 1947 ...	90s. a week	1s. 6d.	117s. a week
On or after 21st May, 1947, but before 1st July, 1949	105s. a week	1s. 6d.	132s. a week
On or after 1st July, 1949, but before 3rd August, 1951 ...	£290 a year	£5	£380 a year
On or after 3rd August, 1951, but before 14th January, 1954	£355 a year	£5	£455 a year
On or after 14th January, 1954, but before 8th September, 1955	£395 a year	£5	£495 a year
On or after 8th September, 1955, but before 1st February, 1957	£425 a year	£7 10s.	£575 a year
On or after 1st February, 1957	£440 a year	£7 10s.	£595 a year"

(4) Nothing in this Regulation shall affect any award which first became payable under the said Order of 1955 before the sixth day of May, nineteen hundred and fifty-seven.

Amendments of the Special Constables (Pensions) Order, 1950, in so far as it continues to have effect under Regulation 10 of the Special Constables (Pensions) Order, 1955, relating to widows' pensions and children's allowances

3.—(1) In the application of the Police Pensions Regulations, 1949(**a**) (as amended by the Police Pensions Regulations, 1950(**b**), the Police Pensions Regulations, 1951(**c**), the Police Pensions Regulations, 1952(**d**), the Police Pensions Regulations, 1953(**e**), and the Police Pensions (No. 2) Regulations, 1955(**f**)), to the pension of the widow or the allowance of a child of a special constable under the Special Constables (Pensions) Order, 1950(**g**) (as amended by the Special Constables (Pensions) Order, 1952(**h**), the Special Constables (Pensions) Order, 1953(**i**), the Special Constables (Pensions) Order, 1954(**j**), and the Special Constables (Pensions) (No. 2) Order, 1955(**k**)), those Regulations shall apply as further amended by—

(*a*) the Police Pensions (No. 2) Regulations, 1956 ; and

(*b*) the Police Pensions (No. 3) Regulations, 1956,

(which amendments are described in paragraph (1) of Regulation 1 of this Order).

(2) In accordance with paragraph (1) of this Regulation—

(*a*) in Regulation 1 of the said Order of 1950 (in which, as amended by Regulation 1 of the Special Constables (Pensions) Order, 1952, Regulation 1 of the Special Constables (Pensions) Order, 1953, Regulation 1 of the Special Constables (Pensions) Order, 1954, and Regulation 1 of the Special Constables (Pensions) (No. 2) Order, 1955, the expression " principal Regulations " is defined) after the words " the Police Pensions (No. 2) Regulations, 1955 " there shall be added the words " the Police Pensions (No. 2) Regulations, 1956, and the Police Pensions (No. 3) Regulations, 1956 " ;

(*b*) in Regulation 2 of the said Order of 1950 (which, as amended by Regulation 1 of the Special Constables (Pensions) Order, 1953, relates to a widow's special pension) for the words " and paragraph (1) of Regulation 66A " there shall be substituted the words " paragraph (1) of Regulation 66A and Regulation 66B " ;

(*c*) in Regulation 3 of the said Order of 1950 (which, as amended by Regulation 1 of the Special Constables (Pensions) Order, 1953, relates to a child's special allowance) for the words " and paragraph (1) of Regulation 66A " there shall be substituted the words " paragraph (1) of Regulation 66A and Regulation 66B ".

Amendments of the Special Constables (Pensions) Order, 1949, in so far as it continues to have effect under Regulation 11 of the Special Constables (Pensions) Order, 1950, relating to widows' pensions and children's allowances

4.—(1) In the application of the Police Pensions Regulations, 1948(**l**) (as amended by the Police Pensions (No. 2) Regulations, 1948(**m**), the Police Pensions Regulations, 1949, the Police Pensions Regulations, 1951, the Police Pensions Regulations, 1952, the Police Pensions Regulations, 1953, and the

(**a**) S.I. 1949/1241 (1949 I, p. 3331).
(**b**) S.I. 1950/778 (1950 II, p. 338).
(**c**) S.I. 1951/2192 (1951 II, p. 208).
(**d**) S.I. 1952/2162 (1952 II, p. 2536).
(**e**) S.I. 1953/1800 (1953 II, p. 1587).
(**f**) S.I. 1955/481 (1955 II, p. 1953).
(**g**) S.I. 1950/673 (1950 II, p. 341).
(**h**) S.I. 1952/345 (1952 II, p. 2545).
(**i**) S.I. 1953/735 (1953 II, p. 1590).
(**j**) S.I. 1954/484 (1954 II, p. 1787).
(**k**) S.I. 1955/702 (1955 II, p. 1893).
(**l**) S.I. 1948/1531 (1948 I, p. 3429).
(**m**) S.I. 1948/2802 (1948 I, p. 3475).

Police Pensions (No. 2) Regulations, 1955), to the pension of the widow or the allowance of a child of a special constable under the Special Constables (Pensions) Order, 1949(a) (as amended by the Special Constables (Pensions) Order, 1950, the Special Constables (Pensions) Order, 1952, the Special Constables (Pensions) Order, 1953, the Special Constables (Pensions) Order, 1954, and the Special Constables (Pensions) (No. 2) Order, 1955), those Regulations shall apply as further amended by—

(*a*) the Police Pensions (No. 2) Regulations, 1956; and

(*b*) the Police Pensions (No. 3) Regulations, 1956,

(which amendments are described in paragraph (1) of Regulation 1 of this Order).

(2) In accordance with paragraph (1) of this Regulation, in paragraph (6) of Regulation 11 of the Special Constables (Pensions) Order, 1949 (in which, as amended by Regulation 11 of the Special Constables (Pensions) Order, 1950, Regulation 3 of the Special Constables (Pensions) Order, 1952, Regulation 2 of the Special Constables (Pensions) Order, 1953, Regulation 3 of the Special Constables (Pensions) Order, 1954, and Regulation 2 of the Special Constables (Pensions) (No. 2) Order, 1955, the expression "principal Regulations" is defined), after the words "the Police Pensions (No. 2) Regulations, 1955" there shall be added the words "the Police Pensions (No. 2) Regulations, 1956, and the Police Pensions (No. 3) Regulations, 1956".

Citation and operation

5.—(1) In so far as Regulations 1, 3 and 4 of this Order provide that the Police Pensions Regulations, 1955, the Police Pensions Regulations, 1949, or, as the case may be, the Police Pensions Regulations, 1948, shall apply to the pension of a widow or the allowance of a child of a special constable as amended by those provisions of the Police Pensions (No. 2) Regulations, 1956, which took effect as from the first day of April, 1956, the said Regulations 1, 3 and 4 shall take effect as from that day.

(2) Save as aforesaid, the provisions of this Order shall take effect as from the sixth day of May, 1957.

(3) This Order may be cited as the Special Constables (Pensions) Order, 1957.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order, which is made under the Special Constables Act, 1914 (as amended by the Special Constables Act, 1923), and section 7 of the Pensions (Increase) Act, 1956, amends the Special Constables (Pensions) Order, 1955, the Special Constables (Pensions) Order, 1950, and the Special Constables

(a) S.I. 1949/589 (1949 I, p. 3379).

(Pensions) Order, 1949, which gave to special constables and their dependants certain pension benefits for which members of police forces and their dependants were eligible. Regulations 1 and 2 amend the Order of 1955, which relates to awards made on and after 9th May, 1955; Regulation 3 amends the Order of 1950, which relates to awards made between 16th May, 1950, and 9th May, 1955, and Regulation 4 amends the Order of 1949, which relates (as regards dependants) to awards made before 16th May, 1950.

The main changes made by the amendments are described below.

The Police Pensions Regulations, 1956, provided (in Regulation 8) for the simplification of the conditions on which a pension is payable to a widow of a member of a police force who was living apart from her husband at the time of his death. Regulation 1 (1) (*a*) of the present Order makes similar provision in relation to the widow of a special constable with effect (as provided in Regulation 5 (2)) from 6th May, 1957.

The Police Pensions (No. 2) Regulations, 1956, provided that the above-mentioned benefits payable to the dependants of members of police forces should be increased as from 1st April, 1956 (the appointed day for the purposes of the Pensions (Increase) Act, 1956), by amounts calculated by reference to that Act. Regulations 1 (1) (*b*), 3 (1) (*a*) and 4 (1) (*a*) of the present Order make similar provision in relation to the dependants of special constables with effect (as provided in Regulation 5 (1)) from the same date.

The Police Pensions (No. 3) Regulations, 1956, made certain provisions in relation to the dependants of members of police forces. They extended the periods during which a discretionary increase in a widow's pension is payable, adjusted the extent of the abatement of a widow's pension by a national insurance widow's allowance, extended the period for which a child's allowance is payable where he is receiving full-time education or is an apprentice, provided for increases in certain children's allowances and relaxed certain conditions relating to the amounts of widows' pensions and children's allowances. Regulations 1 (1) (*c*), 3 (1) (*b*) and 4 (1) (*b*) of the present Order make similar provision in relation to the dependants of special constables with effect (as provided in Regulation 5 (2)) from 6th May, 1957.

Regulations 1 (2), 3 (2) and 4 (2) of the present Order are consequential on the above provisions.

Regulation 2 of the present Order provides for an increase in the notional average pensionable pay of a special constable ceasing to hold that office on or after 8th September, 1955, where an award calculated on that pay first becomes payable on or after 6th May, 1957.