3. The salary to be paid to a temporary Resident Magistrate appointed under the provisions of subsection (3) of Section six of the Act of 1935 shall be at the rate of £5 5s. 0d. for each day upon which he adjudicates as such, together with travelling and subsistence allowances as prescribed in paragraphs (i) and (ii) of Article 2 hereof.

4. (i) This Order may be cited as the Resident Magistrates (Salaries and Allowances) Order (Northern Ireland), 1954, and shall have effect as from the 1st December, 1954;

(ii) The Resident Magistrates (Salaries and Allowances) Order (Northern Ireland), 1952, is hereby revoked.

Dated this 18th day of November, 1954.

(Sgd.) George B. Hanna,
Minister of Home Affairs for Northern Ireland.

I, the Right Honourable Brian Maginess, Q.C., Minister of Finance for Northern Ireland, hereby signify my concurrence in the foregoing Order.

Dated this 18th day of November, 1954.

(Sgd.) Brian Maginess,
Minister of Finance for Northern Ireland.

ULSTER SPECIAL CONSTABULARY: PENSIONS

REGULATIONS DATED 5TH MARCH, 1954, MADE BY THE MINISTER OF HOME AFFAIRS UNDER THE SPECIAL CONSTABLES ACT, 1914, AS EXTENDED AND AMENDED BY THE CONSTABULARY ACT (NORTHERN IRELAND), 1922, AND THE CONSTABULARY (PENSIONS) ACT (NORTHERN IRELAND), 1949.

1954. No. 30

I, the Right Honourable George Boyle Hanna, Q.C., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by the Special Constables Act, 1914, as extended and amended by Section Eight of the Constabulary Act (Northern Ireland), 1922, and by sub-section (4) of Section Four of the Constabulary (Pensions) Act (Northern Ireland), 1949, and of all other powers enabling me in that behalf, do hereby make the following Regulations:—

1. In paragraph (1) of Regulation 1 of the Ulster Special Constabulary Pensions Regulations, 1950, after the words " as " the force ") " there shall be inserted the words " or as a member of the Royal Ulster Constabulary in the case of a person who has transferred from that force to the force ".

2. In paragraph (2) of Regulation 3 of the said Regulations after the words " date of retirement " there shall be inserted the words " or cessation of mobilisation ".

3. In Regulation 13 of the said Regulations after the words "of the Fourth Schedule" there shall be inserted the words "or is a person to whom the provisions of paragraph (*f*) of Regulation 36 apply".

4. In paragraph (2A) of Regulation 14 of the said Regulations for the word "January" there shall be substituted the word "October" and for the words "31st December, 1951" where they occur there shall be substituted the words "30th September, 1952".

5. For paragraphs (3) and (3A) of Regulation 15 of the said Regulations there shall be substituted the following paragraph:—

"(3) A pension increased under this Regulation, including such a pension increased before the first day of October, 1952, shall be payable at a rate increased by forty-two shillings and sixpence a week for the first thirteen weeks that the pension is payable and thereafter, during the periods and in the conditions set out in Part II of the Second Schedule, by thirty-two shillings and sixpence a week."

6. In paragraph (2) of Regulation 16 of the said Regulations for the word "January" there shall be substituted the word "October".

7.—(1) In paragraph (2) of Regulation 17 of the said Regulations after the words "in their discretion" there shall be inserted the words "from time to time".

(2) In paragraph (4) of the said Regulation 17 after the words "paragraph (4)" there shall be inserted the words "and paragraph (4A)", for the words "thirty-six shillings" there shall be substituted the words "forty-two shillings and sixpence", and for the words "twenty-six shillings" there shall be substituted the words "thirty-two shillings and sixpence".

(3) Paragraph (5) of the said Regulation 17 shall be omitted.

8.—(1) In paragraph (2) of Regulation 21 of the said Regulations for the words "paragraph (4)" there shall be substituted the words "paragraphs (4) and (4A) and, where the pension is calculated otherwise than by reference to annual pay, paragraph (4B)".

(2) In paragraph (6) of the said Regulation 21 for the words "twenty-six shillings" there shall be substituted the words "thirty-two shillings and sixpence".

(3) For paragraph (8) of the said Regulation 21 there shall be substituted the following paragraph:—

"(8) Where a widow is in receipt of a pension increased or granted under the foregoing provisions of this Regulation before the first day of October, 1952, then during the periods that the pension so increased or granted is payable the pension shall be further increased or increased up to the rate of thirty-two shillings and sixpence a week."

9. In paragraph (1) of Regulation 25 of the said Regulations after the words "child's ordinary allowance" there shall be inserted the words "and such allowance, including an allowance granted before the first day of October, 1952, shall be"; for the words "period after the 30th June, 1949" there shall be substituted the words "period after the 30th September, 1952", and after the words "date the allowance" there shall be inserted the words "including such an allowance granted before 1st October, 1952".

10.—(1) In Regulation 26 of the said Regulations the words "determined in accordance with Part II of the Third Schedule" shall be omitted.

(2) At the end of the said Regulation 26 there shall be added the following paragraph:—

"(2) A child's special allowance, including such an allowance granted before the first day of October, 1952, shall be determined in accordance with Part II of the Third Schedule."

11. In paragraph (1) of Regulation 27 of the said Regulations for the words "30th June, 1949" there shall be substituted the words "30th September, 1952".

12. In paragraph (2) of Regulation 31 of the said Regulations for the words "paragraph (4)" there shall be substituted the words "paragraphs (4) and (4A) and, where the allowance is calculated otherwise than by reference to annual pay, paragraph (4B)", and in paragraph (8) of the said Regulation 31 for the word "January" there shall be substituted the word "October".

13. In sub-paragraph (ii) of paragraph (3) of Regulation 35 of the said Regulations for the words "Regulation 37A" there shall be substituted the words "Regulations 36(f) and 37A".

14. At the end of Regulation 36 of the said Regulations there shall be added the following paragraph:—

"(*f*) where he has transferred from the Royal Ulster Constabulary to the force, any period of approved or pensionable service which he was entitled to reckon immediately before he so transferred for the purposes of any legislation for the time being in force relating to the superannuation of members of the Royal Ulster Constabulary."

15. At the end of paragraph (3) of Regulation 38 of the said Regulations there shall be added the following paragraph:—

"(3A) A member who, on the 5th July, 1948, was a member of the Royal Ulster Constabulary shall pay contributions to the Ministry at the rate of twopence a week less than five per cent. of his pensionable pay, provided that, where he elected in accordance with the provisions of sub-paragraph (3) of paragraph 36 of the Schedule to the Royal Ulster Constabulary Pensions Order, 1949, he shall pay contributions at the rate specified in paragraph 1 of this Regulation."

16. After Regulation 41 of the said Regulations there shall be added the following Regulation:—

"**41A.** Notwithstanding anything in these Regulations, where a member transferred from the Royal Ulster Constabulary to the force and immediately before he so transferred the special provisions in the legislation relating to the superannuation of members of the Royal Ulster Constabulary who had previously served in the Royal Irish Constabulary and who joined the Royal Ulster Constabulary before the 1st November, 1922, were applicable in his case, the following provisions shall apply:—

(*a*) when the member retires, there shall be deducted from the amount of pension payable under the provisions of these Regulations the amount of any compensation allowance awarded to such member on the disbandment of the Royal Irish Constabulary, and the balance, if any, shall be the amount to be awarded in respect of his service in the force.

(*b*) where a member dies there shall be deducted from any pension, allowance or gratuity payable to his widow and children under the provisions of these Regulations any pension, allowance or gratuity to which the widow or children may be entitled under the provisions of Rule 4 of Part I of the Schedule to the Constabulary (Ireland) Act, 1922, and the balance, if any, shall be the amount to be awarded in respect of the deceased's service in the force."

17.—(1) At the end of paragraph (4) of Regulation 56 of the said Regulations there shall be inserted the following:—

"In calculating, for the purposes of this paragraph, the means of the person concerned, any increase in accordance with the provisions of paragraph (4A) shall be disregarded."

(2) After the said paragraph (4) there shall be inserted the following paragraphs:—

"(4A) Where it is provided in these Regulations that an amount shall be increased in accordance with this paragraph it shall be increased by the amount by which a pension of the amount first mentioned would be increased if—

(i) the person concerned were in receipt of such a pension,

(ii) that pension were specified in Part I of the First Schedule to the Pensions (Increase) Act (Northern Ireland), 1952, and

(iii) any increase in the first-mentioned amount in accordance with the provisions of paragraph (4) were an increase granted under the Pensions (Increase) Acts (Northern Ireland), 1944 and 1947."

"(4B) Where it is provided in these Regulations that an amount shall be increased in accordance with the provisions of paragraph (4A) and of this paragraph, the pension or allowance shall be deemed to begin for the purposes of paragraph (4A) and the Pensions (Increase) Act (Northern Ireland), 1952, before the first day of April, 1948."

" (4C) For the purposes of paragraph (4A) any reference in the Second Schedule to the Pensions (Increase) Act (Northern Ireland), 1952, to—

(*a*) a relevant pension shall be construed as including a reference to an award of an amount which these Regulations provide shall be increased in accordance with the provisions of the said paragraph,

(*b*) the rate of the relevant pension shall be construed as including a reference to the rate of such an award, ignoring any increase in accordance with the provisions of the said paragraph, and

(*c*) the authorised increase shall be construed as including a reference to the increase in accordance with the provisions of the said paragraph."

" (4D) Notwithstanding anything in paragraphs (4), (4A) and (4C) the Ministry may in their discretion dispense with any or all periodical applications for the continuation and reassessment of an increase in the amount of a widow's pension or of a child's allowance."

(3) In paragraph (6) of the said Regulation 56 after the word " force " there shall be added the words " or as a member of the Royal Ulster Constabulary in the case of a person who has transferred from that force to the force ".

(4) At the end of paragraph (9) of the said Regulation 56 there shall be added the following paragraph:—

" (9A) A reference in these Regulations to a member having transferred from the Royal Ulster Constabulary to the force shall be construed as a reference to his having left the Royal Ulster Constabulary with the consent of the Inspector General and the approval of the Ministry for the purpose of becoming a member of the force and become such member,"

18. In paragraph 1 of Part IIA of the First Schedule to the said Regulations after the words " a gratuity " there shall be inserted the words " and a member has at least one completed year of pensionable service " and after the words " five years " there shall be inserted the words " provided that where a member has not completed one year's pensionable service the gratuity shall be an amount equal to the member's aggregate pension contributions in respect of the relevant period of service ".

19. In paragraph 3 of Part III of the First Schedule to the said Regulations after the words " said Regulation " there shall be inserted the words " or by reason of the provisions of paragraph (3A) of the said Regulation ".

20. In paragraph 4 of the said Part III after the words " Regulation 38 " there shall be inserted the words " or being a member who has transferred from the Royal Ulster Constabulary to the force has paid contributions as a member of the Royal Ulster Constabulary at the rate specified in sub-paragraph (1) of paragraph 36 of the Schedule to the Royal Ulster Constabulary Pensions Order, 1949."

21. In Part I of the Second Schedule to the said Regulations for the words "nineteen shillings and twopence" there shall be substituted the words "twenty-six shillings and tenpence", for the words "fifteen shillings and fourpence" there shall be substituted the words "twenty-three shillings," and for the words "eleven shillings and sixpence" there shall be substituted the words "nineteen shillings and twopence".

22.—(1) In paragraph 1 of Part III of the Second Schedule to the said Regulations for the words "paragraph (4)" in each place where they occur there shall be substituted the words "paragraphs (4) and (4A)".

(2) In paragraph 2A of the said Part III for the words "seven shillings and sixpence" there shall be substituted the words "eight shillings".

23. At the end of Part I of the Third Schedule to the said Regulations there shall be added the following paragraph:—

"4. The amount of the child's ordinary allowance determined in accordance with the preceding provisions of this Part of this Schedule shall be increased in accordance with the provisions of paragraph (4A) of Regulation 56 of these Regulations."

24.—(1) In paragraph 1 of Part IA of the Third Schedule to the said Regulations for the words "eight shillings and sixpence" there shall be substituted the words "twelve shillings and eightpence", for the words "seven shillings and sixpence" there shall be substituted the words "eleven shillings", and for the words "six shillings and sixpence" there shall be substituted the words "ten shillings".

(2) In paragraph 2 of the said Part IA for the words "twelve shillings and ninepence" there shall be substituted the words "sixteen shillings and eightpence", for the words "eleven shillings and threepence" there shall be substituted the words "fourteen shillings and threepence", and for the words "nine shillings and ninepence" there shall be substituted the words "twelve shillings and eightpence".

25. In paragraphs 1 and 2 of Part II of the Third Schedule to the said Regulations for the words "paragraph (4)" in both places where they occur there shall be substituted the words "paragraphs (4) and (4A)".

26.—(1) At the end of sub-paragraph (*a*) of paragraph 1 of Part III of the Third Schedule to the said Regulations there shall be inserted the following proviso:—

"Provided that the amount of the child's ordinary allowance increased in accordance with the provisions of this sub-paragraph may be further increased in accordance with the provisions of paragraph (4A) of Regulation 56."

(2) In sub-paragraph (*b*) of the said paragraph 1 for the words "paragraph (4)" there shall be substituted the words "paragraphs (4) and (4A)".

(3) In paragraph 2 of the said Part III for the words "thirteen shillings and sixpence" there shall be substituted the words "fifteen shillings".

(4) In paragraph 3 of the said Part III after the words "ten shillings" there shall be added the words "and sixpence".

27.—(1) In sub-paragraph (*a*) of paragraph 1 of Part IIIA of the Third Schedule to the said Regulations for the words "seventeen shillings" there shall be substituted the words "twenty shillings and ninepence", for the words "fifteen shillings" there shall be substituted the words "seventeen shillings and ninepence", and for the words "thirteen shillings" there shall be substituted the words "fifteen shillings and fivepence".

(2) In sub-paragraph (*b*) of the said paragraph 1 for the words "paragraph (4)" there shall be substituted the words "paragraphs (4) and (4A)".

(3) In paragraph 2 of the said Part IIIA for the words "thirteen shillings and sixpence" there shall be substituted the words "fifteen shillings".

(4) In paragraph 3 of the said Part IIIA after the words "ten shillings" there shall be inserted the words "and sixpence" and the words "(*b*) in any other case to a rate not exceeding seven shillings and sixpence a week" shall be omitted.

28. In paragraph 3 of Part IV of the Third Schedule to the said Regulations for the words "weekly rate of ten shillings" there shall be substituted the words "higher weekly rate prescribed by that section".

29.—(1) In paragraph 1 of Part VI of the Third Schedule to the said Regulations after the words "ten shillings" wherever they occur there shall be inserted the words "and sixpence".

(2) In paragraph 2 of the said Part VI for the words "thirteen shillings and sixpence" wherever they occur there shall be substituted the words "fifteen shillings".

30. In these Regulations references to the Ulster Special Constabulary Pensions Regulations, 1950, shall, where the context so requires or admits, be construed as references to those Regulations as amended by the Ulster Special Constabulary Pensions (Amending) Regulations, 1951, and the Ulster Special Constabulary Pensions (Amending) Regulations, 1952, and these Regulations.

31. These Regulations shall have effect as from the 1st October, 1952, and may be cited as the Ulster Special Constabulary Pensions (Amending) Regulations, 1954, and shall be construed as one with the Ulster Special Constabulary Pensions Regulations, 1950 to 1952, and these Regulations and those Regulations may be cited together as the Ulster Special Constabulary Pensions Regulations, 1950 to 1954.

Dated this 5th day of March, 1954.

Geo. B. Hanna,
Minister of Home Affairs
for Northern Ireland.