Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 22nd day of April, 1958, in the presence of

(L.S.) *(Sgd.) D. A. E. Harkness,*
Secretary.

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EXPLANATORY NOTE
*(This Note is not part of these Regulations, but is intended to indicate their general purport.)*

These Regulations amend the Ulster Savings Certificates (Ninth Issue) Regulations, 1956, which replaced Article 8 of the Ulster Savings Certificates Regulations, 1927. Their effect is to increase the maximum permitted holding of Ulster Savings Certificates of the Ninth Issue from 600 unit Certificates (£450) to 1,000 unit Certificates (£750) as from 1st May, 1958.

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## ULSTER SPECIAL CONSTABULARY: PENSIONS

REGULATIONS DATED 1ST MAY, 1958, 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.

1958. No. 61 **[NC]**

I, The Right Honourable W. W. B. Topping, 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:—

### PART I

AMENDMENTS TO THE ULSTER SPECIAL CONSTABULARY PENSIONS REGULATIONS, 1950, TO TAKE EFFECT FROM AND INCLUDING 1ST APRIL, 1956

1. In Regulation 13A the words "and paragraph (5) of Regulation 38 shall not apply to him" shall be omitted.

2. In Regulation 13B the words "and paragraph (4) of Regulation 38" shall be omitted.

3. For paragraph (2A) of Regulation 14 as set out in the 1956 Regulations there shall be substituted the following:—

"(2A) A widow's ordinary pension, including such a pension granted before the 1st April, 1956, shall be determined in accordance with Part I of the Second Schedule.

Provided that, where immediately before his death or retirement the husband was paying pension contributions at a rate related to six-and-a-quarter per cent. of his pensionable pay, the pension shall be determined in accordance with Part VIII of the Second Schedule."

4. In paragraph (1) of Regulation 15 as set out in the 1956 Regulations for the words " calculated in accordance with Part I or Part IA " there shall be substituted the words " determined in accordance with Part I ".

5. In paragraph (2) of Regulation 16 as set out in the 1955 Regulations for the words " 25th April, 1955," there shall be substituted the words " 1st April, 1956 ".

6. In paragraph (4) of Regulation 17 as set out in the 1955 Regulations for the words " paragraph (4) and paragraph (4A) " there shall be substituted the words " paragraphs (4), (4A) and (4D) ".

7. At the end of Regulation 20 there shall be added the following:—

" (*c*) where the entitlement to a pension arises at a date subsequent to that of the death of her husband."

8.—(1) For paragraph (2) of Regulation 21 as amended by the 1954 Regulations there shall be substituted the following:—

" (2) The amount of any such pension as provided by paragraph (1) shall be increased in accordance with the following paragraphs of Regulation 56:—

(*a*) paragraph (4)

(*b*) paragraph (4A) and, where the pension is calculated otherwise than by reference to annual pay, paragraph (4B); and

(*c*) paragraph (4D)."

(2) At the end of paragraph (5) of Regulation 21 there shall be added the words " and then only during the periods and subject to the conditions set out in Part VI of the Second Schedule."

(3) For paragraph (6) of Regulation 21 as set out in the 1955 Regulations there shall be substituted the following paragraph:—

" (6) The rate up to which the pension referred to in paragraph (3) may be increased or the rate at which the pension referred to in paragraph (4) may be granted shall be the rate up to which the pension could be increased if it had been awarded under the provisions of Regulation 14 and were increasable under the provisions of Regulation 15.

Provided that if the pension referred to in paragraph (3) is a widow's special pension, the references in this paragraph to Regulations 14 and 15 shall be construed as references to Regulations 16 and 17 respectively."

(4) Paragraph (8) of Regulation 21 shall be omitted.

9. In paragraph (1) of Regulation 25 as amended by the 1954 Regulations for the words "first day of October, 1952," and "1st October, 1952," there shall in each case be substituted the words "1st April, 1956", and for the words "30th September, 1952", there shall be substituted the words "31st March, 1956".

10. In paragraph (2) of Regulation 26 as set out in the 1954 Regulations for the words "first day of October, 1952", there shall be substituted the words "1st April, 1956".

11. In paragraph (1) of Regulation 27 as set out in the 1955 Regulations for the words "24th April, 1955", there shall be substituted the words "31st March, 1956".

12. For paragraph (2) of Regulation 31 as amended by the 1954 Regulations there shall be substituted the following paragraph:—

"(2) The amount of any such allowance as provided by paragraph (1) shall be increased in accordance with the following paragraphs of Regulation 56:—

(*a*) paragraph (4);

(*b*) paragraph (4A) and, where the allowance is calculated otherwise than by reference to annual pay, paragraph (4B); and

(*c*) paragraph (4D)."

13. For paragraphs (4) and (5) of Regulation 38 there shall be substituted the following paragraph:—

"(4) Paragraph (1) shall not apply to:—

(*a*) a part-time member who is not mobilised;

(*b*) a part-time member who is mobilised for any continuous period not exceeding fourteen consecutive days;

(*c*) a member holding one of the following appointments:—

Staff Officer
Assistant Staff Officer
County or City Commandant
Adjutant
Superintendent, Royal Ulster Constabulary Central Stores
Director of Music, Royal Ulster Constabulary,

who is either a full-time member or a permanent member to whom Regulations 9, 10, 11 and 12 do not apply."

14. For paragraph (4) of Regulation 41 there shall be substituted the following paragraph:—

"(4) Where a member, or a person who has been a member, or any widow, child or dependant of a member or of a person who has been a member is entitled to or is in receipt of any pension, allowance or gratuity in respect of service in the Royal Irish Constabulary, the Royal Ulster Constabulary,

or a public department of the Government of the United Kingdom or the Government of Northern Ireland, or has commuted such pension or allowance or any part thereof, the amount of such pension, allowance or gratuity may be taken into account in the assessment of any pension, allowance or gratuity under these Regulations and such pension, allowance or gratuity may be reduced, suspended or disallowed accordingly."

**15.**—(1) In paragraph (4) of Regulation 56 as amended by the 1954 Regulations the last sentence shall be omitted.

(2) For paragraph (4D) of Regulation 56 as set out in the 1954 Regulations there shall be substituted the following paragraphs:—

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

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

(*b*) that pension were specified in Part I of the First Schedule to the Pensions (Increase) Act (Northern Ireland), 1956.

(4E) For the purposes of paragraph (4D) any reference in sub-section (1) of Section 1 of the Pensions (Increase) Act (Northern Ireland), 1956, or in the Second Schedule thereto to the thirty-first day of December, 1947, shall be construed as a reference to the first day of July, 1949, and any reference in the said Second Schedule—

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

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

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

**16.** In Part I of the Second Schedule as amended by the 1954 Regulations and by the 1956 Regulations there shall be substituted:—

(*a*) for the words " twenty-six shillings and tenpence " the words " thirty-seven shillings and ninepence ";

(*b*) for the words " twenty-three shillings " the words " thirty-two shillings and one penny "; and

(*c*) for the words " nineteen shillings and twopence " the words " twenty-six shillings and sixpence ".

**17.** Part IA of the Second Schedule shall be omitted.

18. In paragraph (1) of Part III of the Second Schedule as amended by the 1954 Regulations for the words " (4) and (4A) " in both places where they occur there shall be substituted the words " (4), (4A) and (4D) ".

19. In paragraph 1 of Part VII of the Second Schedule as set out in the 1954 (No. 2) Regulations after the words " is equal to the amount " there shall be inserted the words " which shall be increased in accordance with the provisions of paragraph (4D) of Regulation 56 ".

20. In Part VIII of the Second Schedule as set out in the 1956 Regulations there shall be substituted:—

(*a*) for the words " twenty-six shillings and tenpence " the words " thirty-seven shillings and ninepence ";

(*b*) for the words " twenty-three shillings " the words " thirty-two shillings and one penny "; and

(*c*) for the words " nineteen shillings and twopence " the words " twenty-six shillings and sixpence ".

21.—(1) In paragraph 1 of Part I of the Third Schedule as amended by the 1956 Regulations there shall be substituted:—

(*a*) for the words " eight shillings and one penny " the words " eight shillings and eightpence ";

(*b*) for the words " six shillings and sevenpence " the words " seven shillings and one penny "; and

(*c*) for the words " five shillings and fivepence " the words " five shillings and tenpence ".

(2) In paragraph 2 of the said Part I as amended by the 1956 Regulations there shall be substituted:—

(*a*) for the words " twelve shillings and twopence " the words " thirteen shillings and one penny ";

(*b*) for the words " nine shillings and elevenpence " the words " ten shillings and eightpence "; and

(*c*) for the words " eight shillings and twopence " the words " eight shillings and ninepence ".

22.—(1) In paragraph 1 of Part IA of the Third Schedule as amended by the 1954 Regulations and the 1956 Regulations there shall be substituted:—

(*a*) for the words " twelve shillings and eightpence " the words " thirteen shillings and threepence ";

(*b*) for the words " eleven shillings " the words " eleven shillings and sixpence "; and

(*c*) for the words " ten shillings " the words " ten shillings and fivepence ".

(2) In paragraph 2 of the said Part IA as amended by the 1954 Regulations and the 1956 Regulations there shall be substituted:—

(*a*) for the words " sixteen shillings and eightpence " the words " seventeen shillings and sevenpence ";

(*b*) for the words " fourteen shillings and threepence " the words " fifteen shillings "; and

(*c*) for the words " twelve shillings and eightpence " the words " thirteen shillings and threepence ".

**23.** In paragraphs 1 and 2 of Part II of the Third Schedule as amended by the 1954 Regulations for the words " (4) and (4A) " in both places where they occur there shall be substituted the words " (4), (4A) and (4D) ".

**24.**—(1) In sub-paragraph (*a*) of paragraph 1 of Part III of the Third Schedule as amended by the 1954 Regulations there shall be substituted:—

(*a*) for the words " sixteen shillings and twopence " the words " seventeen shillings and fourpence ";

(*b*) for the words " thirteen shillings and twopence " the words " fourteen shillings and one penny "; and

(*c*) for the words " ten shillings and tenpence " the words " eleven shillings and eightpence ".

(2) In sub-paragraph (*b*) of the said paragraph 1 as amended by the 1954 Regulations for the words " (4) and (4A) " there shall be substituted the words " (4), (4A) and (4D) ".

**25.**—(1) In sub-paragraph (*a*) of paragraph 1 of Part IIIA of the Third Schedule as amended by the 1954 Regulations there shall be substituted:—

(*a*) for the words " twenty shillings and ninepence " the words " twenty-one shillings and elevenpence ";

(*b*) for the words " seventeen shillings and ninepence " the words " eighteen shillings and eightpence "; and

(*c*) for the words " fifteen shillings and fivepence " the words " sixteen shillings and threepence ".

(2) In sub-paragraph (*b*) of the said paragraph 1 as amended by the 1954 Regulations for the words " (4) and (4A) " there shall be substituted the words " (4), (4A) and (4D) ".

## PART II

### AMENDMENTS TO THE ULSTER SPECIAL CONSTABULARY PENSIONS REGULATIONS, 1950, TO TAKE EFFECT FROM AND INCLUDING 1ST JANUARY, 1957

**26.** For paragraph (2) of Regulation 16 as amended by Part I of these Regulations there shall be substituted the following paragraph:—

" (2) A widow's special pension including such a pension granted before the 1st January, 1957, shall be determined in accordance with Parts III and IX of the Second Schedule:

Provided that where her husband acting in the execution of his duty as a member is or was attacked by a person or persons in a manner which in the opinion of the Ministry is or was intrinsically likely to cause death and death ensues or ensued

as a result of the attack then the pension shall be determined in accordance with Parts VII and IX of the said Schedule in respect of any week for which the amount of the pension so determined is greater than the amount determined in accordance with the said Parts III and IX."

**27.** In paragraph (9) of Regulation 21 as set out in the 1954 Regulations for the words " of the amount described in Part VII of the Second Schedule in respect of any week for which that amount " there shall be substituted the words " determined in accordance with Parts VII and IX of the Second Schedule in respect of any week for which the amount of the pension so determined ".

**28.** For Regulation 30 there shall be substituted the following Regulation:—

" **30.** A child's allowance, including an allowance granted before the 1st January, 1957, shall be payable up to the time when the child attains the age of eighteen years:

Provided that the allowance shall not be payable for any period after the child has attained the age of sixteen years during which he is neither undergoing full-time instruction in a school nor is an apprentice."

**29.**—(1) For paragraph (3) of Regulation 31 there shall be substituted the following paragraph:—

" (3) An allowance payable in accordance with the provisions of paragraph (1) shall be payable up to the time when the child attains the age of eighteen years:

Provided that the allowance shall not be payable for any period after the child has attained the age of sixteen years during which he is neither undergoing full-time instruction in a school nor is an apprentice."

(2) In paragraph (8) of Regulation 31 as set out in the 1955 Regulations for the words " 25th April, 1955," there shall be substituted the words " 1st January, 1957 ".

**30.** After Regulation 34 there shall be inserted the following Regulation:—

" CONDITIONS FOR INCREASES IN AWARDS

**34A.**—(1) Where it is a condition for the increase of a widow's pension or of a child's allowance that the widow or, as the case may be, the mother of the child would have been entitled to receive widow's benefit or a retirement pension under the National Insurance Act (Northern Ireland), 1946, had her husband satisfied the contribution condition set out in paragraph (*a*) of sub-paragraph (1) of paragraph 4 of the Third Schedule to the said Act, the condition for the said increase shall be treated as satisfied if she would have been so entitled to the benefit or pension under the said Act either as originally enacted or as amended by any subsequent enactment.

(2) Where it is a condition

(*a*) for the payment of an increase in a widow's pension or

(*b*) for a widowed mother's allowance under the National Insurance Act (Northern Ireland), 1946, being deemed less than it is for the purpose of calculating such a pension

that the widow has a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, that condition shall be treated as satisfied if she has a family within the meaning of the said Act either as originally enacted or as amended by any subsequent enactment.

(3) Where it is a condition for the payment of an increase in a child's allowance that the child is included in a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, or that the child is the only child so included or that one of those children so included who is older than the others, that condition shall be treated as satisfied if the child is included in a family within the meaning of the said Act either as originally enacted or as amended by any subsequent enactment or, as the case may be, if the child is the only child so included or that one of those children so included who is older than the others."

**31.**—(1) In Part II of the Second Schedule for the words " ten years " wherever they occur there shall be substituted the words " three years ".

(2) For sub-paragraph (ii) of the said Part II there shall be substituted the following sub-paragraph:—

" (ii) any period during which the widow is either pregnant by her late husband or has a child resident with her who is entitled to an allowance under these Regulations or has a family within the meaning of the Family Allowances Act, (Northern Ireland), 1945, which includes a child not resident with her who is entitled to an allowance under these Regulations and, where the child is not included in the family within the meaning of the said Act as originally enacted, to the cost of providing for whom the widow is contributing at the rate of sixteen shillings and sixpence a week or more; ".

(3) At the end of the said Part II there shall be added the following paragraph:—

" 2. In this part of this Schedule any reference to a child being entitled to an allowance under these Regulations shall be construed as including a reference to a child who would be in receipt of an allowance but for the provision of Regulation 27 or the proviso to Regulation 30."

**32.** Paragraph 2 of Part III of the Second Schedule as set out in the 1952 Regulations and paragraph 2A of the said Part III as set out in the 1955 Regulations shall be omitted.

**33.** For sub-paragraph (ii) of Part VI of the Second Schedule there shall be substituted the following sub-paragraph:—

"(ii) any period during which the widow has a child resident with her who is entitled to an allowance under these Regulations or the Ulster Special Constabulary Pensions Orders, or has a family within the meaning of the Family Allowances Act (Northern Ireland), 1945, which includes a child not resident with her who is entitled to an allowance under these Regulations or under the Ulster Special Constabulary Pensions Orders, and, where the child is not included in the family within the meaning of the said Act as originally enacted to the cost of providing for whom the widow is contributing at the rate of sixteen shillings and sixpence a week or more; ".

**34.** Paragraph 2 of Part VII of the Second Schedule as set out in the 1954 (No. 2) Regulations and paragraph 3 of the said Part VII as set out in the 1955 Regulations shall be omitted.

**35.** After Part VIII of the Second Schedule as set out in the 1956 Regulations there shall be added the following Part:—

"PART IX

COMPUTATION OF WIDOW'S BENEFIT AND RETIREMENT PENSIONS

For the purposes of Parts III and VII of this Schedule:—

(*a*) where a widow is entitled under the National Insurance Act (Northern Ireland), 1946, to a widow's allowance or retirement pension which is increased under section twenty-two of the said Act, that allowance or pension shall be deemed not to have been so increased;

(*b*) where a widow is entitled under the said Act to a widowed mother's allowance by virtue of sub-paragraph (i) of paragraph (*b*) of sub-section (1) of section sixteen of that Act, that allowance shall be deemed to be less than it is by the amount of eight shillings together with eight shillings and sixpence for each child included in her family within the meaning of the Family Allowances Act (Northern Ireland), 1945."

**36.**—(1) In sub-paragraph (*a*) of paragraph 3 of Part III of the Third Schedule as set out in the 1955 Regulations for the words "eleven shillings and sixpence" there shall be substituted the words "sixteen shillings and sixpence".

(2) In sub-paragraph (*b*) of paragraph 3 of the said Part III as set out in the 1955 Regulations for the words "eight shillings and sixpence" there shall be substituted the words "thirteen shillings and sixpence".

**37.**—(1) In sub-paragraph (*a*) of paragraph 3 of Part IIIA of the Third Schedule as set out in the 1955 Regulations for the words "eleven shillings and sixpence" there shall be substituted the words "sixteen shillings and sixpence".

(2) After the said sub-paragraph (*a*) there shall be added the following sub-paragraph:—

"(*b*) in any other case to a rate not exceeding thirteen shillings and sixpence a week."

**38.** In paragraph 1 of Part VI of the Third Schedule as set out in the 1955 Regulations there shall be substituted:—

(*a*) for the words "eleven shillings and sixpence" wherever they occur the words "sixteen shillings and sixpence";

(*b*) for the words "three shillings and sixpence" the words "eight shillings and sixpence".

## PART III

## GENERAL

**39.** In Part I and Part II of these Regulations unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"Regulation" means a Regulation in the Ulster Special Constabulary Pensions Regulations, 1950.

"Schedule" means a Schedule to the said Regulations.

"1955 Regulations" means the Ulster Special Constabulary Pension (Amending) Regulations, 1955.

"1956 Regulations" means the Ulster Special Constabulary Pension (Amending) Regulations, 1956.

"1954 Regulations" means the Ulster Special Constabulary Pensions (Amending) Regulations made by the Ministry of Home Affairs on the 5th day of March, 1954.

"1954 (No. 2) Regulations" means the Ulster Special Constabulary Pensions (Amending) (No. 2) Regulations, 1954.

**40.**—(1) The foregoing Regulations other than Regulations 26 to 38 shall have effect from the 1st April, 1956, and the said Regulations 26 to 38 shall have effect from the 1st January, 1957.

(2) These Regulations may be cited as the Ulster Special Constabulary Pensions (Amending) Regulations, 1958, and shall be construed as one with the Ulster Special Constabulary Pensions Regulations, 1950 to 1956, and these Regulations and those Regulations may be cited together as the Ulster Special Constabulary Pensions Regulations, 1950 to 1958.

Dated this 1st day of May, 1958.

*W. W. B. Topping,*
Minister of Home Affairs
for Northern Ireland.

## WAGES COUNCILS

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### The Aerated Waters Wages Council (Northern Ireland) Wages Regulation (Amendment) Order, 1958

1958. No. 116 **[NC]**

Whereas the Ministry of Labour and National Insurance (hereinafter in this Order referred to as " the Ministry ") has received from the Aerated Waters Wages Council (Northern Ireland) the wages regulation proposals set out in the Schedule hereto;

Now, therefore, the Ministry by virtue of the powers conferred on it by Section 10 of the Wages Councils Act (Northern Ireland), 1945(a), and of all other powers enabling it in that behalf, hereby makes the following Order:—

**1.** The wages regulation proposals set out in the Schedule hereto shall have effect on and from the specified date and as from the date immediately preceding the specified date the Aerated Waters Wages Council (Northern Ireland) Wages Regulation (Amendment) Order, 1957(b), shall cease to have effect.

**2.** In this Order the expression " the specified date " means the 17th day of July, 1958, provided that where, as respects any worker who is paid wages at intervals not exceeding seven days, that date does not correspond with the beginning of the period for which the wages are paid, the expression " the specified date " means, as respects that worker, the beginning of the next such period following that date.

**3.** This Order may be cited as the Aerated Waters Wages Council (Northern Ireland) Wages Regulation (Amendment) Order, 1958.

(a) 1945. c. 21.

(b) S.R. & O. (N.I.) 1957, No. 148.