1960. No. 3 **[NC]**

ULSTER SPECIAL CONSTABULARY: PENSIONS

REGULATIONS, DATED 27TH JANUARY, 1960, 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.

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

Citation

1. These Regulations may be cited as the Ulster Special Constabulary Pensions (Amending) Regulations, 1960, and shall be construed as one with the Ulster Special Constabulary Pensions Regulations, 1950 to 1959, and those Regulations and these Regulations may be cited together as the Ulster Special Constabulary Pensions Regulations, 1950 to 1960.

Commencement

2. These Regulations shall come into operation on 27th January, 1960, and shall have effect as from 1st day of August, 1959.

Interpretation

3. In these Regulations the expression "principal Regulations" means the Ulster Special Constabulary Pensions Regulations, 1950(**d**), and the expressions "1955 Regulations(**e**)", "1956 Regulations(**f**)" and "1958 Regulations(**g**)" mean in each case the Ulster Special Constabulary Pensions (Amending) Regulations made in the year mentioned, the expression "1954 Regulations" means the Ulster Special Constabulary Pensions (Amending) Regulations, 1954(**h**), dated 5th day of March, 1954, the expression "1954 (No. 2) Regulations" means the Ulster Special Constabulary Pensions (Amending) (No. 2) Regulations, 1954(**i**), dated 4th day of August, 1954, and the expression "1959 Regulations" means the Ulster Special Constabulary Pensions (Amending) Regulations, 1959(**j**), dated 20th day of March, 1959.

Amendment of the principal Regulations

4. In paragraph (2A) of Regulation 14 of the principal Regulations as set out in Regulation 3 of the 1958 Regulations (which relates to the calculation of a widow's ordinary pension), for the words "1st April, 1956" there shall be substituted the words "1st August, 1959".

5. In paragraph (2) of Regulation 16 of the principal Regulations as set out in Regulation 26 of the 1958 Regulations and amended by Regulation 2

(**a**) 4 & 5 Geo. 5. c. 61.
(**b**) 12 & 13 Geo. 5. c. 8 (N.I.).
(**c**) 1949. c. 9.
(**d**) S.R. & O. (N.I.) 1950, No. 97.
(**e**) S.R. & O. (N.I.) 1955, No. 171.
(**f**) S.R. & O. (N.I.) 1956, No. 75.
(**g**) S.R. & O. (N.I.) 1958, No. 61.
(**h**) S.R. & O. (N.I.) 1954, No. 30.
(**i**) S.R. & O. (N.I.) 1954, No. 119.
(**j**) S.R. & O. (N.I.) 1959, No. 52.

of the 1959 Regulations (which relates to the calculation of a widow's special pension), for the words "27th January, 1958" there shall be substituted the words "1st August, 1959".

6. In paragraph (4) of Regulation 17 of the principal Regulations as set out in Regulation 3 of the 1959 Regulations (which relates to the discretionary increase in a widow's special pension), for the words "and (4D)" there shall be substituted the words "(4D) and (4F)".

7. In paragraph (2) of Regulation 21 of the principal Regulations as set out in Regulation 8 of the 1958 Regulations (which relates to awards to widows made before the 5th July, 1948), after sub-paragraph (*c*) there shall be added "and (*d*) paragraph (4F)".

8. For paragraph (1) of Regulation 25 of the principal Regulations as amended by Regulation 9 of the 1954 Regulations and by Regulation 9 of the 1958 Regulations there shall be substituted the following paragraph:—

"(1) Subject to the provisions of these Regulations, each of the children of such a permanent or full-time member or person who has been a permanent or full-time member as is described in paragraph (2) shall be entitled to a child's ordinary allowance, and such allowance, including an allowance granted before the 1st August, 1959, shall be determined in accordance with Part I of the Third Schedule."

9. In paragraph (2) of Regulation 26 of the principal Regulations as set out in Regulation 10 of the 1954 Regulations and amended by Regulation 10 of the 1958 Regulations (which relates to the calculation of a child's special allowance), for the words "1st April, 1956" there shall be substituted the words "1st August, 1959".

10. In paragraph (1) of Regulation 27 of the principal Regulations as set out in Regulation 7 of the 1955 Regulations and amended by Regulation 11 of the 1958 Regulations (which relates to the discretionary increase in a child's allowance), the proviso is hereby revoked.

11. In paragraph (2) of Regulation 31 of the principal Regulations as set out in Regulation 12 of the 1958 Regulations (which relates to awards to children made before the 5th July, 1948), after sub-paragraph (*c*) there shall be added "and (*d*) paragraph (4F)".

12. After paragraph (4E) of Regulation 56 of the principal Regulations as set out in Regulation 15 of the 1958 Regulations (which relates to the application of the Pensions (Increase) Act (Northern Ireland), 1956(**a**)), there shall be inserted the following paragraphs:—

"(4F) 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:—

(*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), 1959(**b**).

(4G) For the purposes of paragraph (4F) any reference in sub-section (1) of section one of the Pensions (Increase) Act (Northern Ireland), 1959, to

(**a**) 1956. c. 7. (**b**) 1959. c. 10.

an annual rate shall be construed, in relation to an amount which these Regulations provide shall be increased in accordance with the provisions of the said paragraph, as a reference to that amount expressed as an annual rate or, as the case may be, to that amount after any increase thereof in accordance with the provisions of paragraph (4), (4A), (4B), or (4D), expressed as an annual rate."

13. In Part I of the Second Schedule to the principal Regulations as amended by Regulation 16 of the 1958 Regulations (which relates to the calculation of a widow's ordinary pension) there shall be substituted:—

(*a*) for the amount "thirty-seven shillings and ninepence" the amount "forty-two shillings and fourpence";

(*b*) for the amount "thirty-two shillings and one penny" the amount "thirty-five shillings and elevenpence"; and

(*c*) for the amount "twenty-six shillings and sixpence" the amount "twenty-nine shillings and eightpence".

14. In paragraph 1 of Part III of the said Second Schedule as amended by Regulation 22 of the 1954 Regulations and by Regulation 18 of the 1958 Regulations (which relates to the calculation of a widow's special pension), for the words "and (4D)" in both places where they occur there shall be substituted the words "(4D) and (4F)".

15. In paragraph 1 of Part VII of the said Second Schedule as amended by Regulation 3 of the 1954 (No. 2) Regulations and by Regulation 19 of the 1958 Regulations (which relates to the calculation of a widow's special pension where the husband's death results from an attack), for the words "paragraph (4D)" there shall be substituted the words "paragraphs (4D) and (4F)".

16.—(1) In paragraph 1 of Part VIII of the said Second Schedule as set out in Regulation 22 of the 1956 Regulations and amended by Regulation 20 of the 1958 Regulations (which relates to the calculation of a widow's ordinary pension), for the words "paragraph 2" there shall be substituted the words "paragraphs 2 and 3".

(2) In paragraph 2 of the said Part VIII there shall be substituted:—

(*a*) for the amount "thirty-seven shillings and ninepence" the amount "forty-two shillings and fourpence";

(*b*) for the amount "thirty-two shillings and one penny" the amount "thirty-five shillings and elevenpence"; and

(*c*) for the amount "twenty-six shillings and sixpence" the amount "twenty-nine shillings and eightpence".

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

"3. The amount of a widow's ordinary pension calculated in accordance with paragraph 1 shall be increased in accordance with the provisions of paragraph (4F) of Regulation 56."

17.—(1) In paragraph 1 of Part I of the Third Schedule to the principal Regulations as amended by Regulation 21 of the 1958 Regulations (which Part relates to the calculation of a child's ordinary allowance) there shall be substituted:—

(*a*) for the amount "eight shillings and eightpence" the amount "fourteen shillings and tenpence";

(*b*) for the amount "seven shillings and one penny" the amount "twelve shillings and elevenpence"; and

(*c*) for the amount "five shillings and tenpence" the amount "eleven shillings and eightpence".

(2) In paragraph 2 of the said Part I there shall be substituted:—

(*a*) for the amount "thirteen shillings and one penny" the amount "twenty-four shillings and sevenpence";

(*b*) for the amount "ten shillings and eightpence" the amount "twenty shillings and elevenpence"; and

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

(3) Paragraph 4 of the said Part 1 is hereby revoked.

18. Part IA of the said Third Schedule is hereby revoked.

19. In paragraphs 1 and 2 of Part II of the said Third Schedule as amended by Regulation 25 of the 1954 Regulations and by Regulation 23 of the 1958 Regulations (which part relates to the calculation of a child's special allowance), for the words "and (4D)" in both places where they occur there shall be substituted the words "(4D) and (4F)", and in the said paragraph 2 for the word "one-tenth" there shall be substituted the word "two-fifteenths".

20. Paragraph 1 of Part III of the said Third Schedule is hereby revoked.

21. Part IIIA of the said Third Schedule is hereby revoked.

Dated this 27th day of January, 1960.

Brian Faulkner,
Minister of Home Affairs
for Northern Ireland.

EXPLANATORY NOTE

(*This note is not part of the Regulations but is intended to indicate their general purport.*)

These Regulations, which amend the Ulster Special Constabulary Pensions Regulations, 1950, grant increases in the pensions and allowances of the widows and children of deceased members of the Ulster Special Constabulary.

These widows and children were not covered by the Pensions (Increase) Act (Northern Ireland), 1959, and the purpose of the Regulations is to grant them increases appropriate to those set out in the Act.