

Status: Point in time view as at 01/02/1991.

Changes to legislation: Constabulary (Ireland) Act 1922, SCHEDULE is up to date with all changes known to be in force on or before 09 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULE **U.K.**

PART I **U.K.**

RULES

- 1 The compensation which may be awarded to an officer or constable shall be an annual allowance.
- 2 The annual allowance shall be calculated in like manner as the pension which the officer or constable would have been entitled to receive if he had retired for length of service under the existing enactments applicable to him, and had been qualified in respect of his length of service for a pension, save that, for the purposes of that calculation, the following provisions shall have effect:—
 - (a) There shall be added to his completed years of actual service if the proportion of salary on which his allowance is calculated is one-fiftieth, ten years, and if that proportion is one-sixtieth, twelve years;
 - (b) His salary shall be taken at the amount which it would have reached if he had continued to serve in the same rank for the number of years so added, and in the case of a district inspector of the third class, as if he were entitled to promotion to the second class on the completion of one and a half years' service in the third class, and, in the case of a district inspector of the second class, as if he were entitled to promotion to the first class on the completion of eleven years' service in the second class;
 - (c) If the number of his completed years of service, as reckoned under this rule, is less than the minimum number of years of service for which provision as respects pensions is made in the appropriate pension scale, that scale shall apply with the substitution of the number of his completed years of service as so reckoned for that minimum number; and
 - (d) If he has, in addition to his completed years of actual service, served for a period exceeding six months, his service for that period shall be reckoned as a completed year of actual service:

Provided that in the case of the surgeon of the Royal Irish Constabulary his compensation allowance may, should he so desire, be calculated in like manner as the pension which he would have been entitled to receive on retirement under the existing enactments applicable to him if the years to be added as aforesaid were added to his years of age instead of to his completed years of actual service.
- 3 The allowance awarded to an officer or constable shall in no case exceed two-thirds of the salary on which the allowance is calculated.
- 4 In the event of an officer or constable dying after an annual allowance has been awarded to him under this Act, the Treasury shall grant a pension or gratuities to the widow and children of the officer or constable in like manner as if the allowance were a pension granted to the officer or constable on retirement, and as if his years of service had been the years on which the allowance was calculated.
- 5 In these rules the expression "existing enactments" means enactments in force at the time of the passing of this Act, and includes any orders made under those enactments and in force at that time.

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PART II U.K.

ASSIGNMENT OF PENSIONS AND REGULATIONS AS TO PAYMENT OF PENSIONS, &C.

- 15 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 or under the Interim 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 Inspector-General or to the Crown, the Inspector-General may deduct the amount of any such sum from the grant:
 - (3) On the death of a pensioner to whom a sum not exceeding [^{F1}£1,500] is due on account of a grant, then, if the Inspector-General so direct, probate or other proof of the title of the personal representative of the deceased may be dispensed with, and the sum may be paid or distributed to or among the persons appearing to the Inspector-General 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 Inspector-General may think fit, and the Inspector-General, and any officer of the Inspector-General 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 (other than a pension or allowance payable to an officer of higher rank than a county inspector or to the widow or children of such officer) 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 Inspector-General or to give up any equipment or to make any payment due to the Inspector-General; 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 his death.

Textual Amendments

- F1** £1,500 substituted by virtue of [Administration of Estates \(Small Payments\) Act 1965 \(c. 32\), s. 1\(1\), Sch. 1 Pt. I](#)

Forfeiture of Pension or Allowance

- 16 (1) A pension or allowance under this Order is granted only upon condition that it becomes forfeited and may be withdrawn by the Inspector-General, with the consent of the Treasury, 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

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

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