

EXPLANATORY NOTE

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

The Order comes into operation on 3rd April, 1961, and relates to widow's pensions and children's allowances; the principal amendments are described below.

Articles 6, 8 and 9 increase the amount by which widows' pensions may be increased in those cases in which discretionary increases are permitted.

Articles 12 and 13 make similar provision in relation to children's allowances.

Article 11 adjusts the extent of the abatement of a widow's pension by a widowed mother's national insurance allowance.

1961. No. 94

[NC]

ULSTER SPECIAL CONSTABULARY

Pensions

REGULATIONS, DATED 29TH MARCH, 1961, 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:—

PART I

GENERAL

Citation

1. These Regulations may be cited as the Ulster Special Constabulary Pensions (Amending) Regulations, 1961, and shall be construed as one with the Ulster Special Constabulary Pensions Regulations, 1950 to 1960, and those Regulations and these Regulations may be cited together as the Ulster Special Constabulary Pensions Regulations, 1950 to 1961.

Commencement

2. These Regulations shall come into operation on the third day of April, 1961.

Interpretation

3.—(1) In these Regulations, unless the contrary intention appears, a reference to a regulation shall be interpreted as a reference to a regulation in

(a) 4 & 5 Geo. 5. c. 61.

(c) 1949. c. 9.

(b) 12 & 13 Geo. 5. c. 8 (N.I.).

the Ulster Special Constabulary Pensions Regulations, 1950(a), and a reference to a Schedule shall be interpreted as a reference to a Schedule to the said Regulations.

(2) In these Regulations the expressions "1955 Regulations(b)", "1958 Regulations(c)", and "1960 Regulations(d)" means in each case the Ulster Special Constabulary Pensions (Amending) Regulations made in the year mentioned and the expression "1959 Regulations" means the Ulster Special Constabulary Pensions (Amending) Regulations, 1959(e).

PART II

AMENDMENTS OF THE REGULATIONS RELATING TO AWARDS TO WIDOWS AND CHILDREN

4. In paragraph (2A) of Regulation 14 as set out in paragraph 3 of the 1958 Regulations and amended by paragraph 4 of the 1960 Regulations (which relates to the calculation of a widow's ordinary pension) for the words "1st August, 1959," there shall be substituted the words "3rd April, 1961".

5. For paragraph (3) of Regulation 15 as set out in Regulation 1 of the 1959 Regulations (which relates to discretionary increase in a widow's ordinary pension) there shall be substituted the following paragraph:—

"(3) The increase which may be granted in a pension to which this Regulation refers, including such a pension increased before 3rd April, 1961, shall be an amount not exceeding eighty shillings a week during 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 an amount not exceeding fifty-seven shillings and sixpence a week."

6. In paragraph (2) of Regulation 16 as set out in Regulation 26 of the 1958 Regulations and amended by Regulation 2 of the 1959 Regulations and Regulation 5 of the 1960 Regulations (which relates to the calculation of a widow's special pension) for the words before the proviso there shall be substituted the following words:—

"A widow's special pension including such a pension granted before 3rd April, 1961, shall be determined in accordance with Parts III and IX of the Second Schedule:—"

7. For paragraph (4) of Regulation 17 as set out in Regulation 3 of the 1959 Regulations and amended by Regulation 6 of the 1960 Regulations (which relates to the discretionary increase in a widow's special pension) there shall be substituted the following paragraph:—

"The amount up to which the pension may be increased shall be the amount, which shall be increased in accordance with the provisions of paragraphs (4), (4A), (4D) and (4F) of Regulation 56, of one-sixth of her husband's annual pensionable pay for a week together with, for the first thirteen weeks that the pension is payable, an amount not exceeding eighty shillings a week, and thereafter, during the periods and in the conditions set out in Part II of the Second Schedule, an amount not exceeding fifty-seven shillings and sixpence a week:

(a) S.R. & O. (N.I.) 1950, No. 97.

(b) S.R. & O. (N.I.) 1955, No. 171.

(c) S.R. & O. (N.I.) 1958, No. 61.

(d) S.R. & O. (N.I.) 1960, No. 3.

(e) S.R. & O. (N.I.) 1959, No. 52.

“Provided that, where the date on which the widow becomes entitled to a widow’s special pension is the 1st July, 1949, or any later date, this paragraph shall apply as though for the words ‘annual pensionable pay’ there were substituted the words ‘average pensionable pay’.”

8. For paragraph (6) of Regulation 21 as set out in Regulation 4 of the 1959 Regulations (which relates to awards to widows made before 5th July, 1948) 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 not exceed 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, including such a pension increased before the 3rd April, 1961, it may be increased by an amount not exceeding fifty-seven shillings and sixpence a week.”

9. In paragraph (8) of Regulation 31 as set out in Regulation 8 of the 1955 Regulations and amended by Regulation 29 of the 1958 Regulations and by Regulation 5 of the 1959 Regulations (which relates to awards to children of a parent who died before 5th July, 1948) for the words “27th January, 1958” there shall be substituted the words “3rd April, 1961”.

10. In paragraph (b) of Part IX of the Second Schedule as set out in Regulation 35 of the 1958 Regulations and amended by Regulation 7 of the 1959 Regulations (which relates to the extent to which certain national insurance benefits are to be taken into account in calculating a widow’s pension) for the words “twelve shillings” there shall be substituted the words “seventeen shillings”.

11.—(1) In sub-paragraph (b) of paragraph 2 of Part III of the Third Schedule as set out in Regulation 11 of the 1955 Regulations and amended by Regulation 8 of the 1959 Regulations (which relates to the discretionary increase in a child’s allowance) for the words “twenty-seven shillings and sixpence” there shall be substituted the words “thirty-two shillings and sixpence”.

(2) For sub-paragraphs (a) and (b) of paragraph 3 of the said Part III as set out in Regulation 8 of the 1959 Regulations there shall be substituted the following sub-paragraphs:—

“(a) In the case of a child who is the only child included in a family within the meaning of the Family Allowances Act (Northern Ireland), 1945(a), or that one of those children so included who is older than the others to a rate not exceeding twenty-five shillings a week;

(b) In any other case to a rate not exceeding twenty-two shillings a week.”

12.—(1) In paragraph 1 of Part VI of the Third Schedule as set out in Regulation 14 of the 1955 Regulations and amended by Regulation 38 of the 1958 Regulations and by Regulation 10 of the 1959 Regulations (which relates to a child’s discretionary allowance and discretionary increase in an allowance where the parents died before the 5th July, 1948) for the words “twenty

shillings" wherever they occur there shall be substituted the words "twenty-five shillings" and for the words "twelve shillings" there shall be substituted the words "seventeen shillings".

(2) In sub-paragraph (2) of paragraph 2 of the said Part VI of the Third Schedule as set out in Regulation 10 of the 1959 Regulations there shall be substituted:—

- (a) for the words "twenty-seven shillings and sixpence" the words "thirty-two shillings and sixpence".
- (b) for the words "nineteen shillings and sixpence" the words "twenty-four shillings and sixpence".
- (c) for the words "seventeen shillings and sixpence" the words "twenty-two shillings and sixpence".

Dated this 29th day of March, 1961.

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.)

The Regulations come into operation on 3rd April, 1961, and relate to widows' pensions and children's allowances; the principal amendments are described below.

Regulations 5, 7 and 8 increase the amount by which widows' pensions may be increased in those cases in which discretionary increases are permitted.

Regulations 11 and 12 make similar provision in relation to children's allowances.

Regulation 10 adjusts the extent of the abatement of a widow's pension by a widowed mother's national insurance allowance.

1961. No. 95

LAND LAW

Authentication of Seal of Ministry of Finance

As this Order has been exempted from printing by the Statutory Rules Act (Northern Ireland), 1958, it is not printed at length in this volume.