

SCHEDULE II

Section 3.

PENSION SCALE

Pensions and Gratuities to Constables

- (1) The pension to a constable on retirement shall be according to the following scale; that is to say,
- (a) if he has completed fifteen but less than twenty-one years service, an annual sum equal to one fiftieth of his annual pay for every completed year of service; and
 - (b) if he has completed twenty-one but less than twenty-five years service, an annual sum equal to twenty fiftieths of his annual pay with an addition of two fiftieths of his annual pay for every completed year of service above twenty years; and
 - (c) if he has completed twenty-five years service, an annual sum equal to thirty fiftieths of his annual pay with an addition of one fiftieth of his annual pay for every completed year of service above twenty-five years, so however that the pension shall not exceed two thirds of his annual pay.

- (2) The pension to a constable on retirement who is partially incapacitated by infirmity of mind or body occasioned in the execution of his duty without his own default shall, in the case of accidental injury, be according to the following scale, that is to say:
- (a) if he has completed not more than five years service, an annual sum not more than ten fiftieths of his annual pay; and
 - (b) if he has completed more than five and not more than ten years service, an annual sum not more than twelve fiftieths of his annual pay; and
 - (c) if he has completed more than ten years and not more than fifteen years service, an annual sum not more than fifteen fiftieths of his annual pay; and
 - (d) if he has completed more than fifteen years service, an annual sum not more than his annual pay :

Provided that if he has completed fifteen years service the pension shall not be less than the sum to which he is entitled under article one of this schedule.

- (3) The pension to a constable on retirement who is wholly incapacitated by infirmity of mind or body occasioned in the execution of his duty without his own default shall, in the case of accidental injury, be according to the following scale, that is to say:
- (a) if he has completed not more than ten years service, an annual sum not more than fifteen fiftieths of his annual pay; and
 - (b) if he has completed more than ten and not more than fifteen years service, an annual sum not more than twenty fiftieths of his annual pay; and
 - (c) if he has completed more than fifteen years service, an annual sum not more than his annual pay:

Provided that if he has completed fifteen years service the pension shall not be less than the sum to which he is entitled under article one of this schedule.

- (4) The pension to a constable on retirement who is partially incapacitated by infirmity of mind or body occasioned in the execution of his duty without his own default in a case other than a case of accidental injury, shall be according to the following scale ; that is to say,

Status: This is the original version (as it was originally enacted).

- (a) if he has completed not more than ten years service, an annual sum not more than twenty fiftieths of his annual pay; and
- (b) if he has completed more than ten but not more than fifteen years service, an annual sum not more than one half of his annual pay; and
- (c) if he has completed more than fifteen years service, an annual sum not more than his annual pay;

Provided that if he has completed fifteen years service the pension shall not be less than the sum to which he is entitled under article one of this schedule.

- (5) The pension to a constable on retirement who is wholly incapacitated by infirmity of mind or body occasioned in the execution of his duty without his own default, in a case other than a case of accidental injury, shall be an annual sum not more than his annual pay, and if he has completed fifteen years service, not less than the sum to which he is entitled under article one of this schedule.
- (6) Any gratuity to a constable on his retirement who is incapacitated for the performance of his duty by infirmity of mind or body occasioned without his own default, but otherwise than in the execution of his duty, shall not exceed the amount of one month's pay for every completed year of service.
- (7) Where, on account of the infirmity of mind or body of a constable having been brought about or been contributed to by his own default or by his vicious habits, the pension granted to such constable is of less amount than that to which he would otherwise be entitled, the diminution of such pension shall not exceed five fiftieths of the annual pay of such constable.
- (8) A pension granted to a constable who has completed less than the fifteen years service shall not, if reduced on account of partial recovery from his incapacity, be less than one fiftieth of his annual pay for every completed year of service of such constable.

Pensions, Allowances, and Gratuities to Widows and Children

- (9) Where a constable has died from some Cause which, if it had only incapacitated him for the performance of his duty, would have entitled, him to a pension for life, the pension to his widow and the allowances to his children shall be according to the following scale:—
 - (a) the pension to the widow shall be an annual sum equal to one tenth of the constable's pay or the sum of ten pounds, whichever is the larger; and,
 - (b) the allowance to each child shall be an annual sum equal to one fiftieth of the constable's pay or two pounds ten shillings, whichever is the larger.
- (10) Where a constable has died from some cause not arising from his own default, but so that his widow and children are not entitled to pension or allowance under the preceding article of this schedule, any gratuities to the widow and children shall not exceed in the whole the amount of gratuity which could be given to the constable if he had at the time of his death become wholly incapacitated and retired.
- (11) The gratuity granted to the widow and children of a constable who dies within twelve months after the grant of a pension shall not exceed the difference between the annual pay of such constable and the amount he has actually received in respect of his pension.

Status: This is the original version (as it was originally enacted).

- (12) The pension to a widow shall continue only while she remains a widow and continues to be of good character.
- (13) The allowance to a child shall not continue after the child attains the age of fifteen years.

General Provisions

- (14) For the purpose of estimating any pension, gratuity, or allowance under this schedule—
 - (a) a pension or gratuity to a constable shall be calculated according to the amount of his annual pay at the date of his retirement, or of the injury or cause occasioning the incapacity which compels his retirement, whichever is the larger;
 - (b) a pension or gratuity to the widow and an allowance or gratuity to a child of a constable shall be calculated according to the amount of the constable's annual pay at the date of his death or of the injury or cause occasioning his death, or where he had a pension of his retirement;
 - (c) but where a constable who becomes a member of the force after the passing of this Act has, in the course of the three years next before the date of his retirement, or death, or such injury, or cause, been in receipt of a different annual pay from that which he is receiving at that date, his annual pay at the date of the retirement, death, injury, or cause shall be deemed to be the average annual amount of pay received by him for the said three years, instead of the annual amount actually received by him at that date.
 - (d) Section twelve of the Act of the session of the fourth and fifth years of the reign of His Majesty King William the Fourth, chapter twenty-four, shall continue to apply to the pensions and gratuities to be granted to constables who became members of the Royal Irish Constabulary before the passing of this Act. Nothing contained in this Act shall be taken to extend that section to any pension or gratuity to which it would not apply if this Act had not been passed.

The annual pay with reference to which pensions and allowances under this Act shall be calculated is the pay set out in the First and Third Schedules to this Act. In converting weekly pay into annual pay the year shall be taken to be fifty-two weeks.