1988 No. 377

POLICE

Royal Ulster Constabulary Reserve (Injury Benefit) Regulations 1988

Made . . . . . 3rd October 1988

Coming into operation . . 1st January 1989

To be laid before Parliament

The Secretary of State, in pursuance of section 26 of the Police Act (Northern Ireland) 1970(**a**), read with Articles 14 and 15 of the Superannuation (Northern Ireland) Order 1972(**b**), and after consulting, in accordance with section 34(2) of the said Act of 1970, the Police Authority for Northern Ireland and the Police Association for Northern Ireland, hereby, with the concurrence of the Treasury, makes the following regulations:—

Citation

1. These regulations may be cited as the Royal Ulster Constabulary Reserve (Injury Benefit) Regulations 1988.

Commencement and effect

2. These regulations shall come into operation on 1st January 1989 and shall have effect as from 25th November 1982.

Interpretation

3.—(1) Subject to the following provisions of these regulations, these regulations shall be construed as one with the Royal Ulster Constabulary Reserve (Pensions) Regulations 1973(**c**) (hereinafter referred to as "the principal regulations").

(2) Notwithstanding regulation 3(3) of the principal regulations, in these regulations "totally disabled" means incapable by reason of the disablement in question of earning any money in any employment and "total disablement" shall be construed accordingly.

(3) In the case of a person who is totally disabled, regulation A11(1) of the Royal Ulster Constabulary Pensions Regulations 1988(**d**), as applied by regulation 3(2) of the principal regulations, shall have effect, for the purposes of these regulations, as if the reference to "that disablement being ..... likely to be permanent" were a reference to the total disablement of that person being likely to be permanent.

(**a**) 1970 c. 9 (N.I.) as modified by S.I. 1973/2163 and S.I. 1981/1670
(**b**) S.I. 1972/1073 (N.I. 10)
(**c**) S.R. & O. (N.I.) 1973 No. 314
(**d**) S.R. 1988 No. 374

Injury benefit

4. The Royal Ulster Constabulary (Injury Benefit) Regulations 1988(**a**) shall apply, subject to the necessary modifications, in relation to—

(*a*) a person who—

(i) receives or received an injury without his own default in the execution of his duty, whether before, on or after 25th November 1982; and

(ii) on or after that date ceases or has ceased to hold office as a member of the Royal Ulster Constabulary Reserve; and

(iii) within 12 months of so receiving that injury, becomes or became totally and permanently disabled as a result thereof; and

(*b*) a member of the Royal Ulster Constabulary Reserve who—

(i) receives or received an injury without his own default in the execution of his duty, whether before, on or after 25th November 1982; and

(ii) was holding office as such on or after that date; and

(iii) within 12 months of so receiving that injury, dies or has died as a result thereof,

as they apply in the case of a person such as is mentioned in regulation 4(1) or, as the case may be, regulation 5(1) of those regulations, and as if references in those regulations to any of the provisions of the Royal Ulster Constabulary Pensions Regulations 1988 included references to those provisions as applied in relation to members of the Royal Ulster Constabulary Reserve by the principal regulations.

Tom King
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
3rd October 1988

David Lightbown
Tony Durant
Two of the Lords Commissioners of Her Majesty's Treasury

We concur,
19th October 1988

(a) S.R. 1988 No. 376

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations make provision for enhanced benefits in case of death or total disablement resulting from an injury received by a member of the Royal Ulster Constabulary Reserve in the execution of duty similar to that made in relation to members of the Royal Ulster Constabulary by the Royal Ulster Constabulary (Injury Benefit) Regulations 1988.

The regulations come into operation on 1st January 1989 and have effect as from 25th November 1982 (retrospection is authorised by Articles 14 and 15 of the Superannuation (Northern Ireland) Order 1972).