METROPOLITAN POLICE DISTRICT

PENSION

The Metropolitan Police Staffs (Modification of Superannuation Benefits) (National Insurance) Order, 1948

1948 No. 2601

Made - - - - 30*th November*, 1948
Coming into Operation 1*st December*, 1948

Whereas under the Metropolitan Police Staff (Superannuation) Acts, 1875 to 1931, both as originally enacted and as applied by section five of the Metropolitan Police Courts Act, 1897(**a**), and as extended by the Superannuation (Various Services) Act, 1938(**b**), the Secretary of State is authorised to make by Order regulations respecting the grant to officers to whom those Acts apply and to their legal personal representatives, widows and dependants, of superannuation allowances, compensations, gratuities or other allowances on the like principles and conditions as are for the time being in force with respect to persons in the Civil Service of the State:

Now, therefore, I, the Right Honourable James Chuter Ede, one of His Majesty's Principal Secretaries of State, in pursuance of the said Acts, do, by this Order, make the following regulations:—

1. This Order may be cited as the Metropolitan Police Staffs (Modification of Superannuation Benefits) (National Insurance) Order, 1948.

2.—(1) In this Order—

(i) the expression " police service " means service, the salary in respect of which is paid out of the Metropolitan Police Fund,

(*a*) under the Commissioner of Police of the Metropolis or under the Receiver for the Metropolitan Police District, otherwise than as a constable, or

(*b*) as a member of the staff of the Metropolitan Police Courts;

(ii) the expression " pension " means any annual superannuation, compensation or retiring allowance granted by the Secretary of State under the Orders made by him in pursuance of the powers conferred on him by the Metropolitan Police Staff (Superannuation) Act, 1875(**c**), both as originally enacted and as amended, applied and extended by any other Acts, but does not include any annual allowance granted under the Metropolitan Police Staffs Injuries Order, No. 1, 1940(**d**), the Metropolitan Police Staffs Injuries Order, No. 2, 1940(**e**), the Metropolitan Police Staffs Injuries Order, No. 3, 1940(**f**), in any case as amended by the Metropolitan Police Staffs Injuries Order, 1941(**g**).

(2) The Interpretation Act, 1889(**h**), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(**a**) 60 & 61 Vict. c. 26.
(**b**) 1 & 2 Geo. 6. c. 13.
(**c**) 38 & 39 Vict. c. 28.
(**d**) S.R. & O. 1940 (No. 1070) I, p. 562.
(**e**) S.R. & O. 1940 (No. 1071) I, p. 568.
(**f**) S.R. & O. 1940 (No. 1072) I, p. 573.
(**g**) S.R. & O. 1941 (No. 1256) I, p. 621.
(**h**) 52 & 53 Vict. c. 63.

3. This Order shall not apply to a person who has been employed in police service in a pensionable situation who—

(*a*) was appointed to such said situation before the first day of December, 1948, or is, under Article 2 or paragraph (*c*) of Article 4 of the Metropolitan Police Staffs Superannuation (Unestablished Service) Order, 1943(**a**), treated as having served in such said situation before the said date,

(*b*) in pursuance of the provisions of paragraph (*a*) of subsection (3) of section seventy-one of the National Insurance Act, 1946(**b**), is deemed to attain pensionable age on the expiration of ten years from the appointed day for the purposes of those provisions, or under any regulations made under the said Act is deemed to attain pensionable age at any time later than on attaining the age of sixty-five in the case of a man or sixty in the case of a woman,

(*c*) was appointed to such said situation through recruitment by a competition determined by the Treasury or the Secretary of State to be a reconstruction competition, or to be a competition through which any successful candidate was appointed to such said situation before the first day of December, 1948, or

(*d*) between the first day of December, 1948, and the time when he was appointed to such said situation was continuously employed in police service otherwise than in a pensionable situation, or if he was not continuously so employed is nevertheless to be entitled under the provisions of Article 4 of the Metropolitan Police Staffs (Unestablished Service) Order, 1943, to have his said service otherwise than in a pensionable situation during a period before the first day of December, 1948, reckoned under Article 3 of the said Order.

4. Where a person who, having had service—

(*a*) in another public office as defined by the Superannuation Act, 1892(**c**),

(*b*) as a pensionable officer or servant of a local authority or in any other employment by virtue of which he was entitled to participate in the benefits of a superannuation fund maintained under Part I of the Local Government Superannuation Act, 1937(**d**), or under Part I of the Local Government Superannuation (Scotland) Act, 1937(**e**), or under a local Act scheme within the meaning of the said Acts,

(*c*) as a member of a police force within the meaning of the Police Pensions Act, 1921(**f**), other than as a member of the first class of the police reserve, or

(*d*) in any such other pensionable employment as may be prescribed by the Secretary of State,

is appointed to police service in a pensionable situation on or after the first day of December, 1948, and no provision was made for modifying, in connection with the passing of the National Insurance Act, 1946, any scheme for the provision of pensions or other benefits in respect of such prior service, or if such provision was made it did not apply to that person, the Secretary of State may direct that this Order shall not apply to that person.

5. Any pension payable to any person, other than a person to whom by virtue of Article 3 or 4 of this Order this Order does not apply, shall, in respect of any period after that person has, in the case of a man, attained

(**a**) S.R. & O. 1943 (No. 574) I, p. 623.
(**b**) 9 & 10 Geo. 6. c. 67.
(**c**) 55 & 56 Vict. c. 40.
(**d**) 1 Edw. 8 & 1 Geo. 6. c. 68.
(**e**) 1 Edw. 8 & 1 Geo. 6. c. 69.
(**f**) 11 & 12 Geo. 5. c. 31.

the age of sixty-five or, in the case of a woman, the age of sixty, be reduced by the sum of £1 14s. 0d. per annum in respect of each year of service which in the computation of the pension has been reckoned, for the purposes of the Orders made by the Secretary of State in pursuance of the powers conferred on him by the Metropolitan Police Staff (Superannuation) Act, 1875(a), both as originally enacted and as amended, applied and extended by any other Acts, as police service in a pensionable situation:

Provided that no pension shall by virtue of this Article be reduced by more than £67 15s. 0d. per annum.

6. Notwithstanding anything in Article 5 of this Order, a pension payable to any person shall not be reduced in respect of any period of police service performed by that person outside the United Kingdom unless during that period that person was required to make or to continue to make contributions under the National Insurance Act, 1946, the National Insurance Act (Northern Ireland), 1946(b), or under any scheme for purposes similar to the purposes of the National Insurance Act, 1946, which is the subject of a reciprocal agreement under section sixty-four of the said last-mentioned Act.

7. In Article 2 of the Order of the Secretary of State made in pursuance of the Metropolitan Police Staff (Superannuation) Acts, 1875 to 1931, and the Superannuation (Various Services) Act, 1938(c), and dated the twenty-eighth day of August, 1939(d), enabling officers of the staff of the metropolitan police and police courts to make an allocation to spouses and dependants of part of their superannuation benefits, the reference, in relation to a retiring officer, to his pension shall be deemed to be a reference to such pension before any reduction therein is made by virtue of Article 5 of this Order.

8. This Order shall come into operation on the first day of December, 1948.

J. Chuter Ede,
One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
30th November, 1948.

EXPLANATORY NOTE

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

This Order makes provision for the reduction of the pensions payable on retirement to members of the civil staffs employed under the Commissioner of Police of the Metropolis and the Receiver for the Metropolitan Police District and members of the staffs of the Metropolitan Police Courts by specified amounts according to length of service after the pensioner has reached the age of sixty-five in the case of a man or sixty in the case of a woman (that is to say, "pensionable age" as defined in section 78 (1) of the National Insurance Act, 1946). The maximum reduction in any pension is £67 15s. 0d. per annum. The Order does not apply to persons who joined the staffs before the first day of December, 1948, nor to the other persons excepted by or under Articles 3 and 4.

(a) 38 & 39 Vict. c. 28.
(b) 10 Geo. 6. c. 23. (N.I.)
(c) 1 & 2 Geo. 6. c. 13.
(d) S.R. & O. 1939 (No. 1202) II, p. 2025.