

## New Zealand.



### ANALYSIS.

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1901, No. 50.

AN ACT to amend "The Old-age Pensions Act, 1898."

Title.

[7th November, 1901.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Old-age Pensions Amendment Act, 1901"; and it shall form part of and be read together with "The Old-age Pensions Act, 1898."

Short Title.

2. (1.) Forthwith on receipt of any application for a pension or a renewal certificate the Clerk of the Court shall (where he is not himself the Deputy Registrar) notify the Deputy Registrar of the fact and of the date fixed for the hearing of the application.

Provisions on hearing of applications.

(2.) The hearing may from time to time be adjourned by the Magistrate at the request of the Deputy Registrar.

(3.) The Deputy Registrar, or some person appointed by him, shall have the right to appear at the hearing and to examine or cross-examine the applicant.

3. (1.) It shall be the duty of every person to make true answers to all questions concerning any applicant for a pension or renewal, or any of the statements contained in any application for a pension or renewal certificate put to him by the Deputy Registrar or any officer authorised in that behalf by the Deputy Registrar.

Duty to answer questions respecting applications.

(2.) Every person commits an offence who—

(a.) Refuses to answer any such question; or

(b.) Makes any answer knowing the same to be untrue.

(3.) This section shall apply to any officer of any bank or other corporation carrying on business in New Zealand, and to any officer of the Post-Office Savings-Bank and of any other Government department which receives investments of money from the public.

Circumstances of relatives may be considered.

4. On the hearing of any application for a pension or renewal certificate, if the Magistrate finds that any real or personal property has been transferred by the applicant to any person he may inquire into such transfer, and refuse the application or grant a reduced pension.

After-acquired property.

5. If at any time during the currency of a pension the pensioner becomes possessed of any property or income in excess of what is allowed by law in respect of the amount of pension granted to him, the Deputy Registrar may apply to the Magistrate, who may on inquiry either confirm or cancel the pension, or vary the amount thereof:

Provided that, should the excess of income as mentioned in this section cease, the pension shall be immediately restored to the original amount.

Property disclosed on death of pensioner.

6. If on the death of any pensioner, or of the wife or husband of any pensioner, it is found that he, or either of them, was possessed of property in excess of what is allowed by law in respect of the amount of the pension granted, double the amount of pension at any time paid in excess of that to which the pensioner was by law entitled may be recovered as a debt due to the Crown from the estate so found in excess:

Provided that, where the husband and wife were at the time of such death living apart pursuant to decree, order, or deed of separation, this section shall only apply in the case of the pensioner.

Payment for procuring pension illegal.

7. Every person commits an offence who receives any money in consideration of or in respect of the procuring of any pension or renewal certificate, and in the case of any licensed Maori interpreter so committing an offence his license as such interpreter shall be cancelled.

General penalty for offences.

8. Every person who commits an offence under this Act for which no penalty is otherwise provided in any other Act is liable to a penalty not exceeding ten pounds.

Extending time for payment of instalments.

9. The power conferred on the Colonial Treasurer by section six of "The Old-age Pensions Act Amendment Act, 1900," to extend the prescribed period during which instalments are payable, may be exercised by him at any time, notwithstanding that such period has then elapsed or that the instalment has then been paid.

Payment of Maori pensions.

10. (1.) Where, on the application by a Maori for a pension or a renewal certificate, it would, in the opinion of the Magistrate, be more advantageous to the applicant to receive an allowance out of the moneys appropriated for Native purposes under "The Civil List Act, 1863," he may, in lieu of granting a pension, report the circumstances of the case to the Native Minister, with such recommendation as he thinks fit to make.

(2.) Where on any such application the Magistrate is of opinion that a pension should be granted, he may on issuing the certificate direct that the pension shall be paid to some Government officer, to be applied by him for the benefit of the applicant.