

New Zealand



ANALYSIS

- | | |
|--|---|
| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title and commencement. 2. Interpretation. 3. Act divided into Parts. <p style="text-align: center;">PART I</p> <p style="text-align: center;">ADMINISTRATION</p> <p style="text-align: center;"><i>Appointments</i></p> <ol style="list-style-type: none"> 4. Secretary for War Pensions. 5. War Pensions Board. 6. Deputy members. 7. Chairman of Board. 8. War Pensions Appeal Board. 9. Chairman of Appeal Board. 10. Application of Commissions of Inquiry Act, 1908. <p style="text-align: center;"><i>Procedure in respect of Claims for Pensions</i></p> <ol style="list-style-type: none"> 11. Claims to be sent to Secretary for consideration by Board. <p style="text-align: center;"><i>Delegation of Powers of War Pensions Board</i></p> <ol style="list-style-type: none"> 12. Board may, with approval of Minister, delegate any of its powers to Secretary. <p style="text-align: center;"><i>Appeals</i></p> <ol style="list-style-type: none"> 13. Appeals from decisions of War Pensions Board. <p style="text-align: center;"><i>Presumptions to operate in Favour of Claimants for Pensions</i></p> <ol style="list-style-type: none"> 14. Presumption that death or disablement of member attributable to his service. | <p style="text-align: center;"><i>Rules to be observed by Boards in determining Claims</i></p> <ol style="list-style-type: none"> 15. Boards not bound by rules of evidence, but must determine all claims in accordance with their merits. <p style="text-align: center;">PART II</p> <p style="text-align: center;">WAR PENSIONS</p> <p style="text-align: center;"><i>Application of this Part</i></p> <ol style="list-style-type: none"> 16. Application of this Part. 17. General provisions as to grounds for payment of pensions. <p style="text-align: center;"><i>Rates of Pensions in respect of Death</i></p> <ol style="list-style-type: none"> 18. Maximum rates of pensions in respect of death. <p style="text-align: center;"><i>Rates of Pensions in respect of Total Disablement</i></p> <ol style="list-style-type: none"> 19. Maximum rates of pensions in respect of total disablement. Special provisions applicable in cases of total blindness. <p style="text-align: center;"><i>Rates of Pensions in respect of Partial Disablement</i></p> <ol style="list-style-type: none"> 20. Rates of pensions to members in respect of partial disablement resulting from certain major disabilities. 21. Rates of pension in other cases of partial disablement. |
|--|---|

Special Provisions as to Pensions to Members in respect of their Disablement

22. Pensions to members may be permanent or temporary.
23. Rate of pension to be determined by reference to nature of disablement.
24. Review of pensions to members.
25. Limitation of rights of members where claims made in respect of disablement due to wilful misconduct.

Special Provisions as to Pensions to Wives in respect of Death or Disablement of Members

26. Pension to widow in respect of death of member.
27. Economic position of member to be considered in determining rate of pension for wife in respect of his disablement.
28. Pensions to wives to cease on remarriage.

Special Provisions as to Pensions to Children in respect of Death or Disablement of Members

29. Pensions to children in respect of death of member.
30. Pensions to children in respect of disablement of members.
31. Increased pensions to children in certain cases.
32. Special provisions as to step-children, adopted children, and illegitimate children.
33. Duration of pensions to children.

Special Provisions as to Pensions to Dependants other than the Wives or Children of Members

34. General provisions as to pensions to dependants other than wives and children.
35. Payments to parents in special cases.
36. Pensions to guardians of motherless children.
37. Economic position of claimant to be considered in determining pension payable to dependant other than wife or child.

Miscellaneous Provisions as to Pensions under this Part

38. Members of Forces officially reported as missing.
39. Disabled member may be required to undergo medical treatment.

40. Authorizing payment of allowance for services of attendant in certain cases.
41. Clothing-allowances to members in certain cases.
42. Pension may in certain cases be granted to widow or child of deceased member though death not attributable to his service.
43. Pensions to dependants in respect of disablement of member to cease on his death.
44. Special provisions as to wives and children of Native members of the Forces.
45. Pensions to persons other than dependants.
46. Extension of this Part to cover special cases where men have served otherwise than as members of New Zealand Forces.
47. Special provisions as to persons in receipt of pensions from any other Government within British dominions.

PART III

ECONOMIC PENSIONS

48. "Economic pension" defined.
49. Classes of persons entitled to claim economic pension.
50. Grant of economic pensions to be in discretion of War Pensions Board.
51. Maximum rates of economic pensions.
52. Special provisions as to economic pensions where claimant refuses to accept suitable employment.
53. Authorizing increased pensions under Part II to wife and children of member in receipt of economic pension.

PART IV

PENSIONS IN RESPECT OF SERVICE WITH EMERGENCY RESERVE CORPS

54. "Emergency Reserve Corps" defined.
55. Pensions and allowances to members of Emergency Reserve Corps and their dependants in respect of death or disablement attributable to their duties as members.
56. Maximum rates of pensions payable in respect of death of member.

57. Maximum rates of pensions payable in respect of total disablement of member.
58. Rates of pensions payable in respect of partial disablement of member.
59. Compensation or damages in respect of same subject-matter may be taken into account in assessing rates of pensions.

PART V

WAR VETERANS' ALLOWANCES

60. "Veteran" defined for purposes of this Part.
61. Provision for grant of allowances to war veterans and their dependants.
62. Rates of allowances under this Part.
63. Apportionment of allowances in certain cases.
64. Special provisions in respect of allowances to wives and children of veterans.
65. Allowances to be forfeited in certain circumstances.
66. Board may review its decisions.
67. Commencement of allowances.
68. Authority to pay gratuity to widow on death of veteran.
69. Saving of rights under other Parts.

PART VI

GENERAL PROVISIONS

70. Limitation of claims by persons entitled to two or more pensions in respect of death or disablement of same person.
71. Pensions and allowances under this Act to be absolutely inalienable.
72. Disposition of accrued amount of pension unpaid at date of death.
73. Date of commencement of pensions.
74. Payment of pensions out of New Zealand.
75. Refusal or forfeiture of pensions in certain cases.
76. Appeals to Magistrate.
77. Pensions payable under this Act not to be taken into account in assessing compensation or damages in respect of accidents.
78. Offences and penalties.
79. Proceedings for offences against this Act.
80. Recovery of payments made in error.
81. Moneys to be appropriated for purposes of this Act.
82. Regulations.
83. Repeals and savings. Schedules.

1943, No. 22

Title.

AN ACT to repeal the Enactments specified in the Fifth Schedule hereto, and to make Better Provision with respect to War Pensions and related Matters.

[26th August, 1943

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

Short Title and commencement.

1. This Act may be cited as the War Pensions Act, 1943, and shall be deemed to have come into force on the first day of July, nineteen hundred and forty-three.

Interpretation.

2. (1) In this Act, unless the context otherwise requires,—

“ Appeal Board ” means the War Pensions Appeal Board established under this Act:

“ Board ” means, as the context may require, the War Pensions Board or the War Pensions Appeal Board established under this Act:

“ Child ”, in relation to any member of the Forces, means a child under the age of sixteen years, and includes a step-child, an adopted child, and an illegitimate child:

“ Dependant ”, in relation to any male member of the Forces, means—

(a) The wife of the member:

(b) Any child of the member:

(c) Any other member of his family who was in fact wholly or partially dependent on him at any time within the period of twelve months immediately preceding the date on which he became a member of the Forces; and, in relation to a female member of the Forces, means—

(a) Any child of the member actually dependent on her:

(b) Any other member of her family who was in fact wholly or partially dependent on her at any time within the period of twelve months immediately preceding the date on which she became a member of the Forces:

“ Member of the family ”, in relation to a member of the Forces, means the wife, husband, father, mother, or any child of the member, or a grandfather, grandmother, step-father, step-mother, grandson, grand-daughter, step-son, step-daughter, brother, sister, half-brother, half-sister, or mother-in-law of the member:

“ Member of the Forces ” means any person who is or has at any time been a member of any of His Majesty’s Forces heretofore established or that may hereafter be established in New Zealand:

“ Minister ” means the Minister of Defence:

“ Secretary ” means the Secretary for War Pensions:

“ Wife ”, in relation to a member of the Forces, includes the widow of a deceased member.

(2) Terms defined in the last preceding subsection in relation to a member of the Forces have corresponding meanings, with any necessary modifications, when used in this Act in relation to persons other than members of the Forces.

Act divided
into Parts.

3. The following provisions of this Act are divided into Parts as follows:—

PART I.—Administration.

PART II.—War Pensions.

PART III.—Economic Pensions.

PART IV.—Pensions in respect of Service with
Emergency Reserve Corps.

PART V.—War Veterans' Allowances.

PART VI.—General Provisions.

PART I

ADMINISTRATION

Appointments

Secretary
for War
Pensions.
1938, No. 7

4. (1) For the purposes of this Act there shall be appointed an officer of the Social Security Department, established under the Social Security Act, 1938, to be known as the Secretary for War Pensions.

(2) The Secretary, acting under the general direction and control of the Minister, shall be charged with the administration of this Act.

War Pensions
Board.

REFER. 10

1938, No. 7

5. (1) For the purposes of this Act there shall be a War Pensions Board consisting of not less than three and not more than four members, who shall be appointed by the Minister and shall hold office during his pleasure:

Provided that no member of the Board appointed after the commencement of this Act shall hold office for a continuous period of more than three years without reappointment.

(2) Not less than one member of the Board shall be a registered medical practitioner and one member shall be appointed as a representative of the members of the Forces on the nomination of the New Zealand Returned Services' Association (Incorporated).

(3) At any meeting of the Board two members shall form a quorum.

Deputy
members.

6. (1) The Minister may from time to time appoint a person to be the deputy of any member of the Board.

(2) Any person appointed as deputy of the member appointed as the representative of the members of the Forces shall be nominated in the same manner as that

member, and the deputy of a member being a registered medical practitioner shall also be a registered medical practitioner.

(3) The deputy of any member shall have authority to act as a member of the Board in the event of the absence from any meeting of the Board of the member whose deputy he is, and, subject to the provisions of subsection two of the next succeeding section, shall in such case have all the powers of that member.

7. (1) One of the members of the Board shall be appointed by the Minister to be the Chairman thereof and shall hold office as Chairman during the pleasure of the Minister. Chairman
of Board.

(2) In the absence of the Chairman from any meeting of the Board the members present may appoint one of their number (whether the deputy of the Chairman or any other member or any deputy member) to be the Chairman for the purposes of that meeting.

(3) On any question before the Board the Chairman shall have a deliberative vote and in the event of an equality of votes shall also have a casting vote:

Provided that at least two members shall concur in every decision of the Board.

8. (1) For the purposes of this Act there shall be a War Pensions Appeal Board consisting of three members who shall be appointed by the Minister and shall hold office during his pleasure: War Pensions
Appeal Board.

Provided that no member of the Appeal Board appointed after the commencement of this Act shall hold office for a continuous period of more than three years without reappointment.

(2) Two members of the Board shall be registered medical practitioners and one of those members shall be appointed as a representative of the members of the Forces on the nomination of the New Zealand Returned Services' Association (Incorporated).

(3) All members of the Appeal Board shall be present at the hearing of any appeal under this Act from any decision of the War Pensions Board.

9. One member of the Appeal Board shall be appointed by the Minister to be the Chairman thereof and shall hold office as Chairman during the pleasure of the Minister. Chairman of
Appeal Board.

Application of Commissions of Inquiry Act, 1908.

See Reprint of Statutes, Vol. I, p. 1036

10. For the purpose of carrying out their several functions under this Act, the Secretary for War Pensions, the War Pensions Board, and the War Pensions Appeal Board shall respectively have all the powers of a Commission appointed under the Commissions of Inquiry Act, 1908, and all the provisions of that Act shall apply accordingly as if the Secretary and the said Boards were in fact Commissions under that Act.

Procedure in respect of Claims for Pensions

Claims to be sent to Secretary for consideration by Board.

11. (1) All claims for or in respect of pensions or allowances under this Act shall be made in writing to the Secretary for submission by him to the War Pensions Board.

(2) Subject to any delegation of its powers made by the War Pensions Board pursuant to the next succeeding section, the Board, as soon as practicable after the submission to it of any claim, shall consider the same and may either—

- (a) Grant a pension or allowance in accordance with the provisions of this Act; or
- (b) Decline the claim on the ground that the claimant is not entitled to a pension or allowance under this Act.

Delegation of Powers of War Pensions Board

Board may, with approval of Minister, delegate any of its powers to Secretary.

12. (1) The War Pensions Board may from time to time, with the approval of the Minister, delegate to the Secretary such of its powers in relation to claims under this Act as it thinks fit:

Provided that no delegation under this section shall be construed to confer on the Secretary the power to determine, in relation to a claim made by a member of the Forces in respect of his disablement, whether or not the disablement of the member is attributable to or has been aggravated by his service as a member, or the power to assess on medical grounds the rate of the pension payable to the member on any such claim.

(2) Any such delegation may be at any time revoked by the Board, in whole or in part, and no such delegation shall prevent the exercise by the Board of any of the powers conferred on it by this Act.

(3) Any such delegation may be made subject to such conditions and restrictions as the Board thinks fit, and may be made either generally or in relation to any particular claim or to claims of a particular class.

(4) The fact that the Secretary, purporting to act pursuant to powers conferred on him by delegation under this section, exercises in respect of any claim any powers conferred on the Board by this Act shall be sufficient evidence of his authority so to do.

(5) Where the Secretary, pursuant to any powers conferred on him by delegation under this section, grants any pension or allowance or declines any claim for a pension or an allowance under this Act, he shall as soon as practicable refer his decision to the Board for confirmation or otherwise in accordance with the next succeeding subsection.

(6) The Board may at any time, of its own motion or on application by any claimant for a pension or an allowance under this Act, review any decision made by the Secretary in the exercise of any powers conferred on him by delegation under this section, and in any such case may confirm the decision of the Secretary, or may, in accordance with the provisions of this Act, grant or refuse to grant a pension or an allowance, or increase or reduce the amount of any pension or allowance.

Appeals

13. (1) Within six months after the date on which any decision of the War Pensions Board (whether made before or after the commencement of this Act), has been communicated to him, the claimant, by notice in writing posted or delivered to the Secretary, may appeal to the War Pensions Appeal Board from the decision in so far as it consists of—

Appeals from
decisions of
War Pensions
Board.

(a) The rejection of any claim for a pension in respect of the death or disablement of a member of the Forces on the ground that the death or disablement was not attributable to his service as a member of the Forces or that the condition that resulted in his death or disablement was not aggravated by such service; or

(b) The assessment of a pension granted to any member of the Forces in so far as the assessment is based on medical grounds.

(2) On any such appeal the Appeal Board may confirm the decision of the War Pensions Board or may grant a pension or, within the limits prescribed by this Act, may increase or reduce the amount of any pension.

(3) Any decision of the Appeal Board may be made retrospective if and to such extent as that Board thinks fit.

*Presumptions to operate in Favour of Claimants
for Pensions*

Presumption
that death or
disablement
of member
attributable
to his service.

14. (1) Where any claim for a pension under this Act is made by or in respect of a member of the Forces who, on attesting for service or at any time thereafter, was medically graded as fit for service with the Forces, the medical grading shall, except as otherwise provided in this section, be accepted as conclusive proof of the absolute physical and mental fitness of the member at the time of such grading, subject only to any physical or mental conditions qualifying such absolute fitness that may be specifically recorded in the medical record made at the time of the medical grading:

Provided that the foregoing provisions of this subsection shall not apply if the medical grading of the member has been altered by a competent authority within two months after he has been actually attached to the Forces for service therein but before he has been subjected to any conditions that have in fact prejudicially affected his physical or mental fitness or to any conditions that may be regarded as having possibly or probably so affected his physical or mental fitness, and the member has been officially informed of the alteration of his grading within three months after he has been so attached to the Forces for service therein.

(2) The foregoing presumption in favour of the claimant based on the medical grading of the member shall not operate in any case where it is proved that the member failed to reveal to the medical examiners, after proper inquiry made of him, any material facts

in relation to his physical or mental health or history, or where it is proved that by reason of any false statement, non-disclosure, or misrepresentation he was erroneously graded.

(3) In any case in which the foregoing presumption in favour of the claimant does not for any reason apply or is not sufficient to establish his claim, the claimant shall be entitled to produce to the War Pensions Board or the War Pensions Appeal Board, as the case may be, any evidence (whether strictly legal evidence or not) to show that the condition that resulted in the death or disablement of the member was possibly or probably attributable to or aggravated by his service with the Forces, and if any reasonable evidence to that effect is produced there shall thereby be established a presumption that such condition was in fact attributable to or aggravated by the service of the member, and such presumption may be rebutted only by evidence that satisfies the Board that the condition was not so attributable or aggravated but was due entirely to other causes.

(4) Where any member of the Forces has suffered the loss of, or the permanent loss of the use of, one of any paired organs of the body, and such loss is held to be attributable to his service, the subsequent loss or impairment of the efficiency of the other corresponding organ (from whatever cause arising) shall be conclusively presumed to be attributable to his service.

Rules to be observed by Boards in determining Claims

15. (1) In determining, in relation to any claim for a pension under this Act made by a member of the Forces in respect of his disablement or made by any other person in respect of the death or disablement of a member, whether the death or disablement of the member was attributable to his service as a member or whether the condition that resulted in his death or disablement was aggravated by such service, the War Pensions Board or the War Pensions Appeal Board, as the case may be, shall decide in accordance with substantial justice and the merits of the case and shall not be bound by any technicalities or legal forms or rules of evidence.

Boards not bound by rules of evidence, but must determine all claims in accordance with their merits.

(2) In the application of the general rule formulated in the last preceding subsection the following particular rules shall apply:—

- (a) In no case shall there be on the claimant any onus of proving that the death or disablement on which the claim is based was in fact attributable to the service of the member or that the condition which resulted in the death or disablement of the member was aggravated by his service:
- (b) The claimant shall be given the full benefit of the presumptions in his favour provided for in the last preceding section:
- (c) The War Pensions Board or the War Pensions Appeal Board, as the case may be, shall be entitled to draw and shall draw from all the circumstances of the case, from evidence furnished, and from medical opinions submitted to the Board, all reasonable inferences in favour of the claimant, and the claimant shall, in every case, be given the benefit of any doubt as to the existence of any fact, matter, cause, or circumstance that would be favourable to him.

PART II

WAR PENSIONS

Application of this Part

16. This Part of this Act applies with respect to pensions payable in respect of the death or disablement of any person who is or at any time heretofore has been or who may hereafter become a member of the Forces.

17. Subject to the provisions of this Act, pensions in respect of the death or disablement of any member of the Forces (whether occurring before or after the commencement of this Act) shall be payable under this Part of this Act to the dependants of the member (in

RECORDED
No. 10

Application
of this
Part.

General
provisions as
to grounds for
payment
of pensions.

the case of his death) and to the member and his dependants (in the case of his disablement) in any of the following cases, namely:—

- (a) In any case where the death or disablement of the member occurred while he was on service overseas as a member of the Forces in connection with any war in which His Majesty was then engaged or is attributable to such service; or
- (b) In any case where the death or disablement of the member is attributable to his service in New Zealand, or is attributable to his service overseas otherwise than in connection with any war as aforesaid; or
- (c) In any case where the condition which resulted in the death or disablement of the member was aggravated by any service to which either of the last two preceding paragraphs relates:

Provided that no pension shall be payable under this Part of this Act in respect of the death or disablement of any member of the Forces if, at the date of his death or disablement, he was a deserter from the Forces or was absent without leave and was not in receipt of continuous pay as a member of the Forces.

Rates of Pensions in respect of Death

18. (1) Except as otherwise expressly provided in this Act, the rates of pensions payable in respect of the death of a male member of the Forces shall not exceed,—

Maximum rates of pensions in respect of death.

- (a) To the wife, the appropriate rate specified in the second column of the First Schedule hereto:
- (b) To each child, the rate specified in the third column of the said Schedule:
- (c) To any other dependant, a weekly rate equal to the average weekly value of the benefits in fact received by the dependant from the member within the period of twelve months immediately preceding the date upon which he became a member of the Forces.

REP. 19
No. 8.
Substituta.

(2) Except as otherwise expressly provided in this Act, the rates of pensions payable in respect of the death of a female member of the Forces shall not exceed,—

- (a) To each child, the rate specified in the third column of the Second Schedule hereto:

- (b) To any other dependant, a weekly rate equal to the average weekly value of the benefits in fact received by the dependant from the member within the period of twelve months immediately preceding the date on which she became a member of the Forces.

Rates of Pensions in respect of Total Disablement

Maximum rates of pensions in respect of total disablement.

49
5.
Substitutn.

19. (1) Except as otherwise expressly provided in this Act, the rates of pensions payable in respect of the total disablement of a male member of the Forces shall not exceed,—

- (a) To the member, the appropriate rate specified in the second column of the Third Schedule hereto:
- (b) To the wife, the appropriate rate specified in the third column of the said Schedule:
- (c) To each child, the rate specified in the fourth column of the said Schedule:
- (d) To any other dependant, a weekly rate equal to the average weekly value of the benefits in fact received by the dependant from the member within the period of twelve months immediately preceding the date upon which he became a member of the Forces.

(2) Except as otherwise expressly provided in this Act, the rates of pensions payable in respect of the total disablement of a female member of the Forces shall not exceed,—

- (a) To the member, the appropriate rate specified in the second column of the Second Schedule hereto:
- (b) To each child, the rate specified in the third column of the said Schedule:
- (c) To any other dependant, a weekly rate equal to the average weekly value of the benefits in fact received by the dependant from the member within the period of twelve months immediately preceding the date on which she became a member of the Forces.

Special provisions applicable in cases of total blindness.

(3) For the purposes of this section the total blindness of a member shall be deemed to constitute his total disablement.

(4) The maximum pension payable in accordance with the foregoing provisions of this section to a member suffering from total blindness may, in the discretion of the War Pensions Board, be increased by an amount not exceeding forty shillings a week.

Rates of Pensions in respect of Partial Disablement

20. (1) Where the partial disablement of any member of the Forces is due in whole or in part to any one of the disabilities specified in the first column of the Fourth Schedule hereto, the rate of the pension payable to the member in respect of his disablement shall not be less than if it were assessed in the manner indicated in the second column of that Schedule.

Rates of pensions to members in respect of partial disablement resulting from certain major disabilities.

(2) Where the partial disablement of the member is due, in whole or in part, to any two or more of the disabilities specified as aforesaid, the minimum rate of the pension payable to the member shall be ascertained by adding together the appropriate percentages in the Fourth Schedule hereto in relation to those disabilities:

Provided that in no case of partial disablement shall a pension be payable by virtue of this subsection at a rate in excess of the maximum rate that would be payable to him in respect of his total disablement.

(3) Notwithstanding anything in the foregoing provisions of this section, the War Pensions Board, with the approval of the Minister, may increase the rate of pension that would be otherwise payable by an amount not exceeding forty shillings a week in the case of a member who has suffered any two or more serious disabilities (whether specified in the Fourth Schedule hereto or not).

21. Subject to the provisions of the last preceding section, the rates of pension payable to any member of the Forces or to his or her dependants in respect of the partial disablement of the member shall be such less rates than those payable in respect of total disablement as may in each case be determined by the War Pensions Board or the War Pensions Appeal Board, as the case may be, regard being had in every such case to the nature and probable duration of the disablement.

Rates of pension in other cases of partial disablement.

Special Provisions as to Pensions to Members in respect of their Disablement

Pensions to members may be permanent or temporary.

22. Any pension granted under this Part of this Act to a member of the Forces in respect of his total or partial disablement shall be a permanent pension or a temporary pension according to whether the disablement of the member is of a permanent or a temporary character:

Provided that where, in the opinion of the War Pensions Board, any permanent disablement has not reached its final condition a temporary pension may be granted in respect thereof, and the temporary pension so granted shall, subject to its review in accordance with section twenty-four hereof, continue in force until a permanent pension is granted.

Rate of pension to be determined by reference to nature of disablement.

23. (1) Except as provided in the next succeeding subsection, no account shall be taken of the income or property of the claimant or of any other person in considering a claim by any member of the Forces for a pension in respect of his disablement, but the claim shall be determined solely by reference to the nature and extent of the disablement.

(2) In any case where the disablement of the member is attributable solely to his service in New Zealand or is attributable solely to his service out of New Zealand otherwise than in connection with any war, there may, in determining the rate of any pension payable to him in respect of that disablement, be taken into account any amount paid or payable to him by any person as compensation or damages. In any case where the disablement of a member, in New Zealand or elsewhere, is attributable solely to his service otherwise than in connection with any war, there may also be taken into account, in determining the rate of his pension, any amount paid or payable to him by way of pension, retiring-allowance, compensation, or otherwise out of any public moneys or out of any Government superannuation fund.

Review of pensions to members.

24. (1) A permanent pension granted under this Part of this Act to any member of the Forces shall not thereafter be reduced unless it is conclusively established,

beyond any possibility of doubt, that the disablement in respect of which it was granted has in fact proved to be temporary, either to the full extent thereof or in one or more of its essential characteristics.

(2) Subject to the provisions of the last preceding subsection, any pension granted under this Part of this Act to any member of the Forces may from time to time and at any time be reviewed by the War Pensions Board. On the review of any pension in accordance with this subsection the Board, having regard to any change that may have taken place in relation to his disablement in the physical or mental condition of the member since the pension was granted or was last reviewed, as the case may be, may terminate the pension or, within the limits prescribed by this Act, may increase or reduce the rate thereof.

25. Notwithstanding anything to the contrary in the foregoing provisions of this Part of this Act, any claim made by a member in respect of his disablement may be declined or a pension may be granted at a rate lower than the rate that would be otherwise payable if, in considering the claim, the War Pensions Board or the War Pensions Appeal Board, as the case may be, is satisfied on reasonable evidence that the disablement of the member is attributable, wholly or in part, to his wilful misconduct during his period of service.

Limitation of rights of members where claims made in respect of disablement due to wilful misconduct.

Special Provisions as to Pensions to Wives in respect of Death or Disablement of Members

26. (1) Except as otherwise provided in this Act, the wife of a deceased member of the Forces, irrespective of the date of her marriage, shall, if and so long as she is a *bona fide* resident of New Zealand, be entitled to a pension under this Part of this Act at the maximum appropriate rate prescribed in the First Schedule hereto in any of the following cases, namely:—

Pension to widow in respect of death of member.

- (a) In any case where the member was, immediately prior to his death, in receipt of a pension in respect of his disablement and his death resulted from that disablement; and

(b) In any case where the member would have been entitled to a pension in respect of disablement if the cause that resulted in his death had resulted only in his disablement.

(2) Notwithstanding anything in the last preceding subsection, the wife of a member of the Forces shall not be entitled to a pension in respect of his death if—

(a) The death of the member occurred within one year after the date of the marriage; and

(b) At the date of the marriage the member had not, in the opinion of the War Pensions Board, a reasonable expectation of surviving for at least one year thereafter.

Economic position of member to be considered in determining rate of pension for wife in respect of his disablement.

27. (1) In determining a claim for a pension under this Part of this Act made by the wife of a member of the Forces in respect of his total or partial disablement, regard shall be had to the property, income, and general economic circumstances of the member (except in the case of a member who is in receipt of a pension for total blindness).

(2) Except as provided in the last preceding subsection, no account shall be taken of the income or property of the claimant or of any other person in determining any such claim.

(3) Any pension to which this section applies (not being a pension granted in respect of the total blindness of a member) may be at any time reviewed by the Board in the event of any change in the economic circumstances of the member, and, on the review of any pension in accordance with this section, the Board may terminate the pension or, within the limits prescribed by this Act, may increase or reduce the rate thereof.

Pensions to wives to cease on remarriage.

28. A pension granted to the wife of a member under this Part of this Act or under the corresponding provisions of any Act repealed by this Act shall cease on her remarriage:

Provided that the War Pensions Board, with the approval of the Minister, may pay to the widow of a member, on her remarriage, a gratuity not exceeding two years' pension. Such gratuity may be paid either in a lump sum or in such instalments as the Board thinks fit.

Special Provisions as to Pensions to Children in respect of Death or Disablement of Members

29. (1) Except as otherwise provided in this Act, a pension, at the rate prescribed in the First Schedule or the Second Schedule hereto, as the case may be, shall be payable to or on behalf of any child of a member of the Forces in respect of his death in any of the following cases, namely:—

Pensions to children in respect of death of member.

- (a) In any case where the member was, immediately prior to his death, in receipt of a pension in respect of his disablement and his death resulted from that disablement; and
- (b) In any case where the member would have been entitled to a pension in respect of disablement if the cause that resulted in his death had resulted only in his disablement.

(2) Notwithstanding anything in the last preceding subsection, a pension in respect of the death of a member shall not be payable to or on behalf of any child if the mother of the child would, as the wife of the member, be debarred by subsection two of section twenty-six hereof, from obtaining a pension in respect of his death.

30. (1) In determining a claim for a pension under this Part of this Act made by or on behalf of any child of a member of the Forces in respect of his total or partial disablement, regard shall be had to the property, income, and general economic circumstances of the member (except in the case of a member who is in receipt of a pension for total blindness).

Pensions to children in respect of disablement of members.

(2) Except as provided in the last preceding subsection, no account shall be taken of the income or property of the claimant or of any other person in determining any such claim.

(3) Any pension to which this section applies (not being a pension granted in respect of the total blindness of a member) may be at any time reviewed by the Board in the event of any change in the economic circumstances of the member, and, on the review of any pension in accordance with this section, the Board may terminate the pension or, within the limits prescribed by this Act, may increase or reduce the rate thereof.

Increased pensions to children in certain cases.

31. Notwithstanding anything to the contrary in the foregoing provisions of this Act, a pension at the rate of twenty shillings a week shall be payable to or on behalf of a child whose parents are dead at the date of the grant of the pension or whose parents or whose surviving parent may die after that date, and, with the approval of the Minister, a pension at the same rate may be paid to or on behalf of a child of a deceased member of the Forces if the child is not under the control of its mother:

Provided that in the case of any child maintained in any public or private institution the weekly rate of pension shall not exceed the average weekly cost of the maintenance of children in that institution.

Special provisions as to step-children, adopted children, and illegitimate children.

32. (1) A pension in respect of the disablement of a member of the Forces may be granted to any child adopted by the member on or before the thirty-first day of May, nineteen hundred and forty, or before the date of his disablement, whichever is the later, but not to any other adopted child of the member.

(2) A pension in respect of the death of a member of the Forces may be granted to any child adopted by the member on or before the thirty-first day of May, nineteen hundred and forty, or at any time before the commencement of his period of service as a member, or at any time during his period of service but prior to the date of the disablement or the happening of any other event to which his death is attributable, but not to any other adopted child of the member.

(3) In respect of the disablement of a member of the Forces whose disablement is attributable to his service in New Zealand or to his service overseas otherwise than in connection with any war, a pension may be granted to any illegitimate child of the member born before the commencement of his period of service as a member, or born during his period of service or within ten months thereafter, but not later in any case than ten months after the date of his disablement. In respect of the disablement of any other member of the Forces a pension may be granted to any illegitimate child of the member born before the commencement of his period of service, or born at any time during his

period of service in New Zealand, or born before the expiry of ten months from the date of his departure from New Zealand or of his latest departure (if the member has been overseas more than once).

(4) In respect of the death of a member of the Forces whose death is attributable to his service in New Zealand or to his service overseas otherwise than in connection with any war, a pension may be granted to any illegitimate child of the member born before the commencement of his period of service as a member, or born during his period of service or within ten months thereafter, but not later in any case than ten months after the date of the disablement or the happening of any other event to which his death is attributable. In respect of the death of any other member of the Forces a pension may be granted to any illegitimate child of the member born before the commencement of his period of service, or born at any time during his period of service in New Zealand, or born before the expiry of ten months from the date of his departure from New Zealand or of his latest departure (if the member has been overseas more than once).

(5) Notwithstanding anything to the contrary in this Act, a pension in respect of the death or disablement of any member of the Forces shall not be payable to or on behalf of any step-child or adopted child of the member for any period for which a pension under this Part of this Act is payable to or on behalf of the same child in respect of the death or disablement of any other member.

33. (1) Save as provided in this section, a pension granted to or on behalf of a child of a member of the Forces in respect of his death or disablement shall not continue after the child has attained the age of sixteen years.

Duration of
pensions to
children.

(2) A pension granted to or on behalf of any female child of a member of the Forces may, with the approval of the Minister, be continued until she attains the age of seventeen years.

(3) A pension granted to or on behalf of any child suffering from any mental or physical infirmity may, with the approval of the Minister, be continued for any period while the infirmity continues.

(4) The War Pensions Board, with the approval of the Minister, may, for the purpose of assisting in the further education of any child, continue for such period as it thinks fit a pension granted to or on behalf of that child.

(5) Notwithstanding anything to the contrary in the foregoing provisions of this Act, a pension may be granted to or on behalf of any child who has attained the age of sixteen years or more, at any time when, if a pension had been already granted, it could be continued in force pursuant to the foregoing provisions of this section.

(6) When any pension is payable in accordance with this section to or on behalf of a child over the age of sixteen years, the rate of any pension payable under this Act to the mother of the child shall be computed as if the child had not attained the age of sixteen years.

Special Provisions as to Pensions to Dependants other than the Wives or Children of Members

General provisions as to pensions to dependants other than wives and children.

34. (1) Where, in respect of the death or disablement of any member of the Forces, the wife of the member or any child of the member is in receipt of or is entitled to claim a pension under this Part of this Act, the rate of the pension that may be granted to any other dependant of the member shall not exceed three-fourths of the maximum pension prescribed for the wife of a member of the same rank or rating, and in any other case the rate of the pension that may be granted to any such dependant shall not exceed the maximum rate prescribed for the wife of a member of the same rank or rating.

(2) Nothing in the last preceding subsection shall be construed to authorize the grant of a pension to any such dependant in excess of the appropriate rates authorized by section eighteen or section nineteen of this Act.

(3) A pension granted to any female dependant of a member shall cease on her marriage.

Payments to parents in special cases.

35. (1) Notwithstanding anything to the contrary in this Act, the War Pensions Board, with the approval of the Minister, may at any time grant a pension under this Part of this Act to the father or mother of a

member of the Forces in respect of his death or disablement, if the Board is satisfied that the claimant has not adequate means of support. A pension granted under this section shall not in any case exceed the maximum pension prescribed for the wife of a member of the same rank or rating.

(2) This section shall apply notwithstanding that the claimant in any case may or may not be a dependant within the meaning of this Act.

(3) Where a claim for a pension in respect of the death or disablement of a member of the Forces is made by the widowed mother of the member the following special provisions shall apply:—

(a) If the claimant was wholly dependent on the member, the rate of the pension shall be not less than the rate that would have been granted if the claimant were the wife of a member of the same rank or rating, without the care of dependent children:

(b) If the claimant was partially dependent on the member, the rate of the pension shall be not less than one-half of the rate that would have been granted in accordance with the last preceding paragraph if she had been wholly dependent on him.

36. (1) Notwithstanding anything to the contrary in this Act, the War Pensions Board, with the approval of the Minister, may grant a pension in respect of the death of a member of the Forces to any woman who satisfies the Board that she has the control and care of any child or children of that member.

(2) A pension under this section shall not in any case exceed the rate of twenty shillings a week.

(3) A pension under this section shall, unless sooner determined, cease so soon as the person in receipt thereof has not the control and care of any child of the member.

37. (1) In determining the rate of pension payable to any dependant of a member of the Forces, other than the wife or a child of the member, the War Pensions Board shall, to such extent as in any case it deems proper and equitable, take into account the property and income from all sources of the claimant and any other relevant factors of economic significance.

Section 37
No. 22

Pensions to
guardians of
motherless
children.

Economic
position of
claimant to
be considered
in determining
pension
payable to
dependant
other than
wife or child.

(2) Any pension to which this section applies may be at any time reviewed by the Board in the event of any change in the property or income or general economic circumstances of the dependant, and, on the review of any pension in accordance with this section, the Board may terminate the pension or, within the limits prescribed by this Act, may increase or reduce the rate thereof.

Miscellaneous Provisions as to Pensions under this Part

Members
of Forces
officially
reported as
missing.

38. (1) Pensions under this Part of this Act shall be payable to the dependants of a member of the Forces who is officially reported as missing in the same manner in all respects as if the member had died in the course of his service on the date on which he was reported missing.

(2) In the event of the member being subsequently reported as dead, pensions granted under this section shall be confirmed by the Board.

(3) In the event of the member being subsequently reported as living all pensions under this section shall be terminated and the amount theretofore paid by way of pension to any dependant may, with the approval of the Minister, be recovered from the accumulated pay of the member or be recovered from the recipient as a debt due to the Crown.

Disabled
member
may be
required to
undergo
medical
treatment.

39. (1) If the War Pensions Board is satisfied, on the advice of not less than two medical practitioners having special experience in like cases, that any member of the Forces who is in receipt of or is entitled to a pension under this Part of this Act should, in his own interests, undergo medical or curative treatment, whether in a hospital or elsewhere, it may reduce by not more than one-half thereof the amount of the pension to which the member would be otherwise entitled if and so long as the member, without good and sufficient cause, refuses or wilfully fails to undergo such treatment.

(2) If, for the purpose of undergoing any medical or curative treatment as aforesaid, it is necessary, in the opinion of the War Pensions Board, that a partially

disabled member of the Forces should be obliged to live away from home or be absent from work for one or more days in any week, the Board may increase the pensions payable to that member and his dependants or any of them in respect of the period of such treatment, but so that the total amount payable shall not in any case exceed the amount that would be payable in case of the total disablement of the member.

40. (1) If, with respect to any member who is in receipt of a pension under this Part of this Act in respect of his total disablement, the War Pensions Board is satisfied that the services of an attendant are indispensable it may in its discretion grant an allowance not exceeding five pounds a week in respect of the services of an attendant.

Authorizing
payment of
allowance
for services
of attendant
in certain
cases.

AMD. 19

NO. 2.

(2) The provisions of the last preceding subsection may, with the approval of the Minister, be extended to apply to the case of any member who is in receipt of a pension in respect of his partial disablement.

(3) Any allowance under this section may be paid, in whole or in part, to the attendant or may be paid to the member in respect of the additional expenses incurred by him. Any allowance paid to a member under this section shall not be deemed to form part of his pension.

41. (1) In addition to the amount of the pension payable to any member in accordance with the foregoing provisions of this Part of this Act, special allowances may be paid as follows:—

Clothing-
allowances
to members
in certain
cases.

(a) To any member who has suffered the loss, in whole or in part, of both legs, an amount not exceeding sixteen pounds per annum:

(b) To any member who has suffered the loss, in whole or in part, of one leg, an amount not exceeding fourteen pounds per annum:

AMD. 19

NO. 3.

(c) To any member who is obliged to use any mechanical or other appliance (other than an artificial leg), an amount not exceeding eight pounds per annum.

(2) Any allowance granted under this section shall be included in and deemed part of the pension of the member.

Pension may in certain cases be granted to widow or child of deceased member though death not attributable to his service.

42. Where any member of the Forces, while in receipt of a permanent pension under this Part of this Act of an amount not less than seventy per centum of the maximum pension that would be payable in respect of his total disablement, has died, whether before or after the coming into force of this Act, from any cause not attributable to his service as a member of the Forces, the War Pensions Board, with the approval of the Minister, may grant a pension to or on behalf of the widow or of any dependent child or dependent children of the member, in all respects as if the death of the member were attributable to his service:

Provided that a pension shall not be granted under this section if the marriage of the member took place after the date on which he was granted a permanent pension in respect of his disablement at a rate not less than the rate hereinbefore referred to.

REF 10
N

Pensions to dependants in respect of disablement of member to cease on his death.

43. (1) All pensions granted to the dependants of a member of the Forces in respect of his disablement shall be terminated by the death of the member, but nothing herein shall affect the right of any such dependant to apply for and be granted a pension in accordance with this Act in respect of the death of the member.

(2) Notwithstanding anything to the contrary in the last preceding subsection, the War Pensions Board, with the approval of the Minister, may continue for a period not exceeding twenty-eight days after the death of a member of the Forces any pension theretofore granted in respect of his disablement to or on behalf of any dependant of the member and current at the date of his death.

(3) If any pension, allowance, or benefit payable out of public moneys is granted to the dependant, to take effect during the aforesaid period of twenty-eight days, the amount of any pension paid or approved for payment under this section may, notwithstanding anything to the contrary in any other Act, be taken into account in determining the amount of such other pension, allowance, or benefit to be paid in respect of the same period.

44. (1) Where application is made for a pension under this Part of this Act in respect of the death of a Native member of the Forces occurring during any period of his service as a member of the Forces, or in respect of the disablement of any such member, a Native woman who has been married to such member in accordance with Native custom and whose marriage is subsisting at the time of his death or disablement shall be deemed to be his wife within the meaning of this Act, and the children of such marriage shall be deemed to be his legitimate children.

Special provisions as to wives and children of Native members of the Forces.

(2) Every application made by a Native woman to whom this section applies for a pension under this Part of this Act in respect of the death or disablement of her husband shall be supported by a certificate signed by a Judge, Commissioner, or Registrar of the Native Land Court to the effect that the applicant was married according to Native custom and that the marriage was subsisting at the time of the death or disablement of the husband.

Amended 1938.

45. (1) The War Pensions Board, with the approval of the Minister, may grant a pension under this Part of this Act in respect of the death or disablement of a member of the Forces to any person, not being a dependant of that member within the meaning of this Act, if the claimant for a pension under this section satisfies the Board that he has suffered material loss of income or property by reason of the death or disablement of the member and that he has not adequate means of support.

Pensions to persons other than dependants.

(2) A pension granted under this section shall not in any case exceed the maximum pension prescribed for the wife of a member of the same rank or rating.

46. (1) The War Pensions Board, with the approval of the Minister, may grant a pension under this Part of this Act in respect of the death or disablement in the course of any war in which His Majesty has been or is at any time engaged of any person (not being a member of the Forces within the meaning of this Act), who, while domiciled in New Zealand, served beyond New Zealand in connection with such war, and in respect of his or her services was in receipt of pay from the New Zealand Government.

Extension of this Part to cover special cases where men have served otherwise than as members of New Zealand Forces.

(2) Pensions under this section shall be payable to persons of the same classes and in the same manner in all respects as if they were pensions payable to members of the Forces or their dependants under the foregoing provisions of this Part of this Act.

(3) No pension shall be granted under this section at a rate in excess of the rate that would be payable in accordance with the foregoing provisions of this Part of this Act in respect of the death or disablement of a member of the Forces.

Special provisions as to persons in receipt of pensions from any other Government within British dominions.

47. (1) Subject to the provisions of this section, the War Pensions Board, with the approval of the Minister, may grant a pension under this Part of this Act to any member of His Majesty's Forces established elsewhere than in New Zealand who is in receipt of a pension from any Government within the British dominions (other than the Government of New Zealand) in respect of his disablement during any war in which members of any New Zealand Forces have served as such.

(2) The Board may, in like manner, grant a pension under this Part of this Act, in respect of the death or disablement of any member of His Majesty's Forces established elsewhere than in New Zealand, to any person who would be a dependant of that member if he were a member of any of His Majesty's Forces established in New Zealand.

(3) No pension shall be granted under this section to or in respect of a member of any of His Majesty's Forces established elsewhere than in New Zealand unless the Board is satisfied—

(a) That the member to or in respect of whom the pension is granted was, immediately prior to the commencement of the war in which he served, a *bona fide* resident of New Zealand; and

(b) That the claimant for a pension under this section is actually resident in New Zealand.

(4) No pension shall be granted under this section to any person of such an amount that the total amount receivable by or on account of that person by way of pension (including any pension granted out of New Zealand) shall exceed the amount of the pension that would have been payable to him if the member in respect of whose death or disablement the pension is granted had been a member of the New Zealand Forces.

PART III

ECONOMIC PENSIONS

48. For the purposes of this Part of this Act the expression "economic pension" means a supplementary pension granted on economic grounds to any person of a class specified in the next succeeding section.

"Economic pension" defined.

49. Claims for the grant of an economic pension under this Part of this Act may be made only by or on behalf of—

Classes of persons entitled to claim economic pension.

- (a) A member of the Forces who is in receipt of a pension under Part II of this Act in respect of his disablement; or
- (b) The widow of a deceased member of the Forces who is in receipt of a pension under Part II of this Act in respect of the death of the member; or
- (c) The widowed mother of a deceased member of the Forces who is in receipt of a pension under Part II of this Act in respect of the death of the member; or
- (d) Any person who is in receipt of a pension under section forty-six or section forty-seven hereof in respect of his own disablement, or any widow who is in receipt of a pension under either of the said sections in respect of the death of her husband or son, as the case may be, or any person who is disqualified from receiving a pension under section forty-seven hereof by reason only that the pension received by him from an overseas Government is not less than the pension that would be payable under Part II of this Act to or in respect of a member of the New Zealand Forces.

50. (1) The grant of an economic pension and the amount of any such pension shall, subject to the provisions of the next succeeding section, be in the discretion of the War Pensions Board.

Grant of economic pensions to be in discretion of War Pensions Board.

(2) In considering a claim for an economic pension the Board shall take into account, to such extent as in the circumstances of the case it thinks proper and equitable, the ability of the claimant to obtain and retain suitable employment, the personal earnings and

other income of the claimant (if any), any property of the claimant, the cost of living, and such other factors of economic significance as are considered relevant:

Provided that where a claim for an economic pension is made by a member who is in receipt of a pension in respect of his total disablement the Board may, to such extent as it thinks fit, disregard any personal earnings derived by the claimant otherwise than from regular employment.

Maximum rates
of economic
pensions.

51. The rate of an economic pension granted under this Part of this Act shall not in any case exceed,—

- (a) To any member of the Forces, thirty-five shillings a week:
- (b) To the widow of a deceased member of the Forces, without any child actually dependent on her, twenty shillings a week:
- (c) To the widow of a deceased member of the Forces, with a child or children actually dependent on her, twenty-five shillings a week:
- (d) To the widowed mother of a deceased member of the Forces, twenty shillings a week, but so that—

AMD. 19
No. 2

(i) Where the claimant was wholly dependent on the member or was partially dependent on two or more sons, being deceased members, the total amount payable to the claimant by way of pension, together with her income from all other sources, shall not exceed three pounds a week; and

(ii) In any other case, the total amount payable to the claimant by way of pension, together with her income from all other sources, shall not exceed two pounds a week:

- (e) To any person who is in receipt of a pension under section forty-six or section forty-seven hereof in respect of his own disablement, thirty-five shillings a week:
- (f) To any widow who is in receipt of a pension under section forty-six or section forty-seven hereof in respect of the death of her husband or son, the amount that would be payable to her in accordance with this section if her husband or her son, as the case may be, had been a member of the Forces:

AMD. 19
No. 2

(g) To any other person to whom paragraph (d) of section forty-nine hereof applies, the difference between the rate of the pension paid to the claimant by an overseas Government and the aggregate rate of the pensions that would be payable to the claimant under Part II hereof and under this Part of this Act if claims for such pensions were made by or in respect of a member of the New Zealand Forces.

52. (1) If the War Pensions Board is satisfied with respect to any claimant for an economic pension or to any person in receipt of an economic pension—

Special provisions as to economic pensions where claimant refuses to accept suitable employment.

- (a) That he has voluntarily become unemployed without a good and sufficient reason; or
- (b) That he has lost his employment by reason of any misconduct as a worker; or
- (c) That he has refused or failed, without a good and sufficient reason, to accept any offer of suitable employment—

it may decline any claim for an economic pension under this Part of this Act, or it may grant an economic pension at a lower rate than it would grant in other circumstances, or it may reduce the amount of or may terminate an economic pension theretofore granted.

(2) Nothing in the last preceding subsection shall apply with respect to the widowed mother of a deceased member of the Forces or to the widow of a deceased member while she has the care and control of any child to or on behalf of whom any pension is payable under this Act.

(3) Nothing in this section shall be construed to affect the discretionary powers conferred on the Board by section fifty hereof.

53. Where, pursuant to this Part of this Act, an economic pension is granted to any member of the Forces in respect of his partial disablement, a pension under Part II of this Act may be granted to the wife or to any child or children of the member of an amount not exceeding the maximum pension that could be granted to the claimant in respect of the total disablement of the member; or the amount of any pension theretofore granted under Part II of this Act to any

Authorizing increased pensions under Part II to wife and children of member in receipt of economic pension.

such claimant in respect of the partial disablement of the member may be increased but not so as to exceed the maximum aforesaid:

Provided that nothing in this section shall authorize the grant of a pension to any person who would not be qualified to receive a pension under Part II of this Act in respect of the disablement of the member.

PART IV

PENSIONS IN RESPECT OF SERVICE WITH EMERGENCY RESERVE CORPS

“Emergency Reserve Corps” defined.

Statutory Regulations, Serial number 1940/188

54. (1) In this Part of this Act references to the Emergency Reserve Corps are references to the Emergency Reserve Corps established under the Emergency Reserve Corps Regulations 1940.

(2) In the event of the disestablishment of the Emergency Reserve Corps at any time, all persons who were members of the Corps immediately prior to its disestablishment or who had theretofore at any time been members of the Corps shall be deemed to be members of the Corps for the purposes of this Part of this Act.

(3) The reference in subsection one of this section to the Emergency Reserve Corps Regulations 1940 shall be construed to include a reference to any regulations that may hereafter be substituted therefor, or to any regulations or Act that may at any time hereafter provide for the establishment of an Emergency Reserve Corps.

Pensions and allowances to members of Emergency Reserve Corps and their dependants in respect of death or disablement attributable to their duties as members.

55. (1) Subject to the provisions of this Part of this Act, pensions and allowances shall be granted in respect of the death or disablement of members of the Emergency Reserve Corps in any case where the death or disablement in respect of which a claim for such pension or allowance is made was suffered by the member (whether before or after the commencement of this Act) in the course of his service as a member, and is or was directly attributable to such service:

Provided that no pension shall be granted under this Part of this Act in respect of the death or disablement of any person if in respect of his death or of the same disablement any pension is payable under Part II of this Act.

(2) Save as expressly provided in this Part of this Act, all the provisions of Part II and Part III hereof shall, as far as applicable and with any necessary modifications, apply with respect to pensions and allowances payable under this Part of this Act, as if members of the Emergency Reserve Corps were members of the Forces.

56. (1) In respect of the death of a male member of the Emergency Reserve Corps, the rates of the pensions payable under this Part of this Act (other than an economic pension) shall not exceed,—

Maximum rates of pensions payable in respect of death of member.

(a) To or on account of his widow or to or on account of any child, the appropriate rate payable in accordance with Part II of this Act, in respect of the death of a private in the New Zealand Army:

(b) To or on account of any other dependant, the average weekly value of the benefits actually received by the claimant from the member within the period of twelve months immediately preceding the date of his death.

(2) In respect of the death of a female member of the Emergency Reserve Corps, the rates of the pensions payable under this Part of this Act shall not exceed,—

(a) To or on account of any child who was actually dependent on the member, the sum of ten shillings and sixpence a week:

ANN. D. 19
No. 8.

(b) To or on account of any other dependant, the average weekly value of the benefits actually received by the claimant from the member during the period of twelve months immediately preceding the date of her death.

57. In respect of the total disablement of a member of the Emergency Reserve Corps the rates of the pensions payable under this Part of this Act (other than an economic pension), shall not exceed,—

Maximum rates of pensions payable in respect of total disablement of member.

(a) To or on account of an unmarried member who has not attained the age of twenty-one years, the sum of thirty shillings a week:

(b) To or on account of any other member, the sum of three pounds a week:

ANN. D. 19
No. 8.

(c) To or on account of the wife of a member, the sum of one pound a week:

(d) To or on account of any child of a male member, or to or on account of any child of a female member who is actually dependent on her, the sum of ten shillings and sixpence a week:

(e) To or on account of any other dependant, the average weekly value of the benefits actually received by the claimant from the member during the period of twelve months immediately preceding the date of the disablement of the member.

Rates of pensions payable in respect of partial disablement of member.

58. In respect of the partial disablement of a member of the Emergency Reserve Corps the rates of the pensions (other than an economic pension) payable under this Part of this Act to the member or to his or her dependants shall be such less rates than the maximum rates prescribed by the last preceding section in respect of total disablement as may in each case be determined by the War Pensions Board or the War Pensions Appeal Board, as the case may be, regard being had in every such case to the nature and probable duration of the disablement.

Compensation or damages in respect of same subject-matter may be taken into account in assessing rates of pensions.

59. Notwithstanding anything to the contrary in the foregoing provisions of this Part of this Act, the War Pensions Board, in determining the rate of any pension payable in respect of the death or disablement of any member of the Emergency Reserve Corps, may take into account any amount paid or payable to or on behalf of the claimant by any person as compensation or damages in respect of any accident to which the death or disablement of the member is attributable.

PART V

WAR VETERANS' ALLOWANCES

"Veteran" defined for purposes of this Part.

60. For the purposes of this Part of this Act the term "veteran" includes—

(a) Any person who, having been a member of the Forces within the meaning of this Act, has, in the case of a male member, served as such with a unit in actual engagement with the enemy, and, in the case of a female member, has served overseas as such; and

- (b) Any other person who, being domiciled in New Zealand at the commencement of any war in which members of the New Zealand Forces have served as such, has served in that war as a member of any of His Majesty's Forces, other than the New Zealand Forces, with a unit in actual engagement with the enemy.

61. (1) Subject to the provisions of this Part of this Act, allowances shall be payable thereunder to or on account of—

Provision for grant of allowances to war veterans and their dependants.

- (a) Any veteran who satisfies the War Pensions Board that he is unfit for permanent employment by reason of physical or mental infirmity, and that he has resided continuously in New Zealand for not less than five years immediately preceding the date of his claim for an allowance:

Provided that, for the purposes of this paragraph, continuous residence in New Zealand shall not be deemed to have been interrupted by occasional absences therefrom not exceeding six months in the aggregate:

- (b) The wife or any child or children of the veteran:

AMENDMENT
No. 19 s.

Provided that an allowance shall not be payable under this Part of this Act to or on account of any illegitimate child born to the veteran after the date of his departure from New Zealand (except any such child who may be born before the expiry of ten months after that date) or to or on account of any child adopted by the veteran after the thirty-first day of May, nineteen hundred and forty, or after the date of his departure from New Zealand, whichever is the later.

(2) Whether or not any claimant for an allowance under this Part of this Act is unfit for permanent employment by reason of mental or physical infirmity shall be a question of fact to be determined in the first instance by the Board.

(3) From every decision of the Board under the last preceding subsection hereof there shall be a right of appeal to the War Pensions Appeal Board, and, in

the event of appeal, the decision of the Appeal Board shall be final. Except as provided in this subsection, every decision of the Board shall be final.

Rates of
allowances
under this Part.

62. (1) Allowances under this Part of this Act shall be computed as follows:—

AMP. 19
No. 3.

(a) In the case of a male veteran who has no wife or dependent children, the allowance shall be at the rate of eighty-four pounds ten shillings a year, diminished by one pound for every complete pound of his annual income (exclusive of any allowance under this Part of this Act) in excess of fifty-two pounds:

(b) In the case of any other male veteran, the allowance shall be at the rate of the sum of the following amounts, namely:—

(i) Eighty-four pounds ten shillings a year in respect of the veteran's personal claim;

(ii) Fifty-four pounds twelve shillings a year in respect of his wife (if any); and

(iii) Twenty-seven pounds six shillings a year in respect of each dependent child—diminished in every case by one pound for every complete pound of the total annual income (exclusive of any allowance under this Part of this Act) of the veteran and of his wife and dependent children, in excess of fifty-two pounds:

REP. 19
No. 4
Substitutn.

(c) In the case of a female veteran who has no husband or dependent children, the allowance shall be at the rate of eighty-four pounds ten shillings a year, diminished by one pound for every complete pound of her annual income (exclusive of any allowance under this Part of this Act) in excess of fifty-two pounds:

(d) In the case of any other female veteran, the allowance shall be at the rate of the sum of the following amounts, namely:—

(i) Eighty-four pounds ten shillings a year in respect of the veteran's personal claim; and

(ii) Twenty-seven pounds six shillings a year in respect of each dependent child—diminished in every case by one pound for every complete pound of the total annual income (exclusive of any allowance under this

Part of this Act) of the veteran and of her husband and dependent children in excess of one hundred and four pounds.

(2) Notwithstanding anything in the last preceding subsection, the total allowances payable under this Part of this Act to or in respect of the veteran and of his or her dependants shall in no case exceed two hundred and sixty pounds a year.

63. (1) In any case where the rate of an allowance payable under this Part of this Act is computed in accordance with paragraph (b) or paragraph (d) of subsection one of the last preceding section, the allowance so computed shall, as the Board may determine, be paid to the veteran personally or be allocated in such proportions as the Board determines among the veteran and all or any of his dependants.

(2) Any allocation under the last preceding subsection may be made by the Board on the grant of the allowance or at any time thereafter. In particular, if at any time the provisions of section sixty-five or section seventy-five hereof become applicable to any person to or in respect of whom an allowance under this Part of this Act has been granted, an allocation, if not theretofore made, shall then be made so that only so much of the allowance shall be forfeited as is deemed by the Board to be for the personal benefit of that person.

(3) Nothing in this section shall be construed to affect the provisions of subsection two of section sixty-five or subsection three of section seventy-five of this Act.

(4) Any allocation made under this section may be at any time varied by the Board.

(5) A certificate under the hand of the Secretary shall be conclusive evidence of any allocation made under this section, or of the variation of any such allocation.

64. (1) The provisions of subsection two of section twenty-six hereof, of subsection two of section twenty-nine hereof, and of section thirty-three hereof shall, with any necessary modifications, apply with respect to the payment of allowances under this Part of this Act as if such allowances were pensions under Part II hereof.

REF. 19
No. 8.

Apportionment
of allowances
in certain cases.

AMD. 19
No. 8.

AMD. 19
No. 8.
Special
provisions in
respect of
allowances to
wives and
children of
veterans.

AMDA 19
No. 3.

Allowances to
be forfeited
in certain
circumstances.

(2) No allowance shall be payable under this Part of this Act to or in respect of the wife of a veteran if, in the opinion of the Board, she is living apart from her husband without good cause, and no allowance shall be payable in respect of any child of the veteran for any period during which it is not maintained by him.

65. (1) Every instalment of an allowance granted under this Part of this Act shall be forfeited which becomes payable in respect of any period while the person to whom it has been granted is being maintained at the expense of the Government as an inmate of any public institution.

(2) Where any instalment payable to a veteran is forfeited pursuant to the last preceding subsection there may, in the discretion of the Board, be paid to or on behalf of his or her dependants, or any of them, the whole of the instalment or such part thereof as the Board thinks fit.

Board may
review its
decisions.

66. In the event of the circumstances of any veteran to whom an allowance has been granted under this Part of this Act being altered, or for any other sufficient reason, the Board may cancel the allowance, or may reduce the rate thereof, or may increase the rate thereof but not so as to exceed in any case the limits prescribed by the foregoing provisions of this Part of this Act.

Commencement
of allowances.

67. Every allowance granted under this Part of this Act shall be deemed to have commenced on the first day of the month in which the claim therefor is received by the Secretary.

Authority to
pay gratuity
to widow on
death of
veteran.

68. (1) On the death of any veteran while in receipt of an allowance under this Part of this Act, leaving a widow or a child or children in respect of whom an allowance is being paid under this Part, the allowance shall cease as from the date of the death of the veteran, but there may, with the approval of the Minister, be paid to or on behalf of the wife or of such child or children such amount as the Board thinks fit, not exceeding in any case an amount equal to twice the amount of the total annual allowance payable under this Part, as at the date of the death of the veteran, to or in respect of himself and his dependants.

AMDA 19
No. 4.

(2) If any claimant for an allowance under this Part of this Act has heretofore died or hereafter dies before the completion by the Board of its investigation of the claim, the Board may authorize the payment to or on behalf of the widow or any dependent child or dependent children of the claimant of an amount not exceeding the sum of the following amounts, namely:—

- (a) The amount of the allowance that would have been payable for the period preceding the date of the claimant's death if his claim had been disposed of by the Board and an allowance had been granted before his death:
- (b) The amount that could have been paid under subsection one of this section if, at the time of his death, the claimant had been in receipt of an allowance of the amount that would have been granted to him if he had not died.

(3) Any moneys payable under this section may be paid in a lump sum or in monthly or other instalments, as the Board thinks fit.

69. The right of any person to receive a pension under any other provisions of this Act shall not be affected by anything in this Part or by the receipt of any allowance thereunder.

Saving of rights under other Parts.

PART VI

GENERAL PROVISIONS

70. (1) Where a claim for a pension under this Act is made in respect of the death or disablement of any member of the Forces or of the Emergency Reserve Corps by a claimant who is then in receipt of a pension granted in New Zealand under this or any other Act or of a pension from any Government within the British dominions (other than the Government of New Zealand) in respect of the death or of any disablement of the same member, the pension (if any) that may be granted to the claimant under this Act shall not exceed the difference between the aggregate amount of the pensions that have been already granted to the claimant and the maximum pension that could be granted to the claimant under this Act if all

Limitation of claims by persons entitled to two or more pensions in respect of death or disablement of same person.

the claims in respect of the death or disablement of the member had arisen in respect of one occasion only and a pension therefor had been payable in accordance with this Act.

(2) In computing the rate of any pension payable in accordance with this section, no account shall be taken of any pension attached to the award of any decoration or other distinction for distinguished service.

Pensions and allowances under this Act to be absolutely inalienable.

71. (1) No pension or allowance under this Act shall be capable of being assigned or charged or of passing to any other person by operation of law:

Provided that nothing herein shall be construed to prevent the Board, with or without the consent of the person to whom the pension or allowance was granted, from paying the whole or any portion thereof to any other person for the benefit of the person to whom it was granted or for the benefit of his wife or of any dependent child or dependent children.

(2) Every person commits an offence and shall be liable to a fine of fifty pounds who demands or accepts any certificate or any acknowledgment or undertaking that would constitute a legal or equitable assignment of or charge upon any pension or allowance under this Act if the same were capable of being legally assigned or charged.

Disposition of accrued amount of pension unpaid at date of death.

72. On the death of any person in receipt of a pension or allowance under this Act, the pension or allowance shall be deemed to have been determined on the date of death, and the amount (if any) then unpaid shall, in the discretion of the Board, be payable to the estate of the deceased, or to or for the benefit of the widow or of any dependent child or dependent children of the deceased, or to any person having for the time being the care and control of any such child.

REFER TO
No. 5

Date of commencement of pensions.

73. Except as may be otherwise provided in this Act, all pensions and allowances granted thereunder shall be payable as from a date to be fixed in that behalf by the Board.

Payment of pensions out of New Zealand.

74. (1) Except as provided in the next succeeding subsection, no pension or allowance under this Act shall be granted and no instalment of any such pension or allowance shall be paid to any person who is not for the time being in New Zealand.

(2) Pensions under Part II, Part III, or Part IV of this Act may be granted and paid to any member of the Forces or of the Emergency Reserve Corps, or to the father, mother, wife, or any child of any such member, notwithstanding that the claimant or the person to whom the pension has been granted, as the case may be, may be out of New Zealand.

(3) For the purposes of this section, persons in respect of whose death or disablement pensions are granted under section forty-six hereof shall be deemed to be members of the Forces.

75. (1) Notwithstanding anything to the contrary in this Act, the Board may refuse to grant a pension or allowance to any claimant who, in its opinion, is of notoriously bad character or has been guilty of gross misconduct dishonouring him in the public estimation.

Refusal or
forfeiture of
pensions in
certain cases.

AMD. 19

No. 4.

(2) If any person in receipt of a pension or allowance under this Act is convicted of any offence punishable by imprisonment for three months or upwards or is sentenced to reformatory detention for any period, the Board, with the approval of the Minister, may terminate the pension or allowance or may forfeit, in whole or in part, any instalment or instalments thereof.

AMD. 19

No. 5.

(3) Where any instalment of a pension or allowance that has been granted to any person is forfeited, in whole or in part, pursuant to the last preceding subsection, there may, in the discretion of the Board, be paid to or on behalf of his or her dependants, or any of them, the whole of the amount or such part thereof as the Board thinks fit.

76. (1) Every claimant for or person in receipt of a pension or allowance under this Act who is aggrieved by the refusal or termination of a pension or allowance or by the forfeiture of any instalment on any of the grounds mentioned in subsection one or subsection two of the last preceding section, may require the Board to submit the matter to a Stipendiary Magistrate for investigation, and thereupon the Board shall submit the matter accordingly.

Appeals to
Magistrate.

(2) As soon as conveniently may be after the matter has been so submitted to him, the Magistrate shall make such inquiries as he thinks proper with

respect to the character or conduct of the person concerned, and for that purpose shall have the same powers to require the attendance of witnesses and the production of evidence, and to take evidence on oath, as if the matter were a proceeding under the Magistrates' Courts Act, 1928.

See Reprint
of Statutes,
Vol. II, p. 98

(3) On the conclusion of his investigation the Magistrate shall report the result thereof to the Board, and, if the Magistrate so recommends, the Board shall thereupon grant a pension or allowance, or restore any pension or allowance that has been terminated, or pay to the person entitled thereto any amount that has been forfeited, under the foregoing provisions of this section.

(4) Every investigation by a Magistrate for the purposes of this section shall be conducted in private.

Pensions payable under this Act not to be taken into account in assessing compensation or damages in respect of accidents.

77. No account shall be taken of any pension or allowance payable under this Act in respect of the death or disablement of any person for the purpose of assessing the amount payable by or to any person, as compensation or damages, in respect of any accident that is or may be the basis of a claim for a pension or allowance under this Act.

Offences and penalties.

78. Every person commits an offence against this Act and shall be liable on summary conviction to a fine of one hundred pounds or to imprisonment for twelve months who—

- (a) Makes any false statement to or otherwise misleads or attempts to mislead the War Pensions Board, or the Appeal Board, or the Secretary, or any other officer or person concerned in the administration of this Act; or
- (b) Whether or not he is a claimant for a pension or allowance under this Act, does not faithfully disclose all particulars properly required to be disclosed by him in relation to any claim; or
- (c) Accepts payment of any instalment of any pension or allowance under this Act to which he is not entitled.

Proceedings for offences against this Act.
Ibid., p. 351

79. (1) Notwithstanding anything to the contrary in section fifty of the Justices of the Peace Act, 1927, an information for any offence against this Act may be laid at any time within twelve months after the

facts alleged in the information have been brought to the knowledge of the person by whom the proceedings are instituted.

(2) All proceedings for offences against this Act shall be taken before a Stipendiary Magistrate.

80. If any pension or allowance under this Act is granted to any person not entitled thereto or if any instalment of any such pension or allowance is paid to any person not entitled to receive the same or is paid in excess of the proper rate, any amount so paid in error may be recovered at the suit of the Secretary, as a debt due to the Crown by the person to whom it was so paid, or the Secretary may make any necessary adjustments in any instalment or instalments of the pension or allowance thereafter becoming payable.

Recovery of payments made in error.

81. All moneys payable by way of pensions and allowances under this Act and all expenses incurred in the administration of this Act shall be payable out of moneys appropriated by Parliament for the purpose.

Moneys to be appropriated for purposes of this Act.

82. (1) The Governor-General may from time to time, by Order in Council, make all such regulations as in his opinion are necessary for the purposes of this Act.

Regulations.

(2) All regulations made under the authority of this section shall be laid before Parliament within fourteen days after the making thereof if Parliament is then in session, and if not, shall be laid before Parliament within fourteen days after the commencement of the next ensuing session.

83. (1) The enactments mentioned in the Fifth Schedule hereto are hereby repealed to the extent indicated therein.

Repeals and savings.

(2) All appointments and other acts of authority that originated under any of the said enactments and are subsisting or in force on the commencement of this Act shall enure for the purposes of this Act as if they had originated thereunder.

(3) All pensions and allowances that have been granted under any enactment repealed by this section and that are in force immediately prior to the commencement of this Act shall thereupon be deemed to be pensions and allowances granted under this Act, and any necessary adjustments in the rates thereof shall be made as from the commencement of this Act.

(4) All claims for pensions or allowances under any enactment repealed by this section and not dealt with before the commencement of this Act shall be dealt with as if they were claims under this Act.

(5) All proceedings in respect of offences against any enactment repealed by this section and all other matters that are pending or in progress on the commencement of this Act may be commenced or, as the case may require, may be continued and completed under this Act.

REP. 19
Schedules. No. 3.
Substituted.

SCHEDULES

REP. 19
No. 3.
Substituted.

FIRST SCHEDULE

RATES OF PENSIONS IN RESPECT OF DEATH OF MALE MEMBER OF FORCES

(First Column.) Rank or Rating.	(Second Column.) To the Wife per Week		(Third Column.) To each Child per Week.
	Without a Child.	With a Child or Children.	
All ranks and ratings below commissioned rank (Army, Navy, and Air Force)	£ s. d. 2 0 0	£ s. d. 2 10 0	s. d. 10 6
Commissioned officer not above the rank of Lieutenant (Army); Sub-Lieutenant (Navy); Pilot Officer (Air Force)	2 5 0	2 15 0	10 6
Captain (Army); Lieutenant (Navy); Flying Officer, Flight Lieutenant (Air Force)	2 10 0	3 0 0	10 6
Major (Army); Lieutenant-Commander (Navy); Squadron Leader (Air Force)	2 17 0	3 7 0	10 6
Lieutenant-Colonel (Army); Commander (Navy); Wing Commander (Air Force)	3 6 0	3 16 0	10 6
Colonel (Army); Captain (Navy); Group Captain (Air Force)	3 8 0	3 18 0	10 6
Brigadier, Brigadier-General, Major-General, Lieutenant-General (Army); Commodores, first and second class, Rear-Admiral (Navy); Air Commodore, Air Vice-Marshal, Air Marshal (Air Force)	3 10 0	4 0 0	10 6

SECOND SCHEDULE
RATES OF PENSIONS IN RESPECT OF DEATH OR TOTAL DISABLEMENT OF
FEMALE MEMBER OF FORCES

(First Column.) Rank or Rating.	(Second Column.) In the Case of Disablement, to the Member per Week.	(Third Column.) In the Case of Death or Disablement, to each Child per Week.
Matron (Army Nursing Service), Senior Commander (Women's Army Auxiliary Corps), First Officer (Women's Royal New Zealand Naval Service), Squadron Officer (Women's Auxiliary Air Force), and all ranks and ratings below	£ s. d. 3 0 0	s. d. 10 6
Principal Matron (Army Nursing Service), Chief Commander (Women's Army Auxiliary Corps), Chief Officer (Women's Royal New Zealand Naval Service), Wing Officer (Women's Auxiliary Air Force)	3 1 0	10 6
Matron-in-Chief (Army Nursing Service)	3 3 0	10 6

REF. 19

No. s.
Substitutn.

THIRD SCHEDULE

RATES OF PENSIONS IN RESPECT OF TOTAL DISABLEMENT OF MALE
MEMBER OF FORCES

(First Column.) Rank or Rating.	(Second Column.) To the Member per Week.	(Third Column.) To the Wife per Week.	(Fourth Column.) To each Child per Week.
Major (Army); Lieutenant-Commander (Navy); Squadron Leader (Air Force); and all ranks and ratings below	£ s. d. 3 0 0	£ s. d. 1 0 0	s. d. 10 6
Lieutenant-Colonel (Army); Commander (Navy); Wing Commander (Air Force)	3 1 0	1 10 6	10 6
Colonel (Army); Captain (Navy); Group Captain (Air Force)	3 3 0	1 11 6	10 6
Brigadier, Brigadier-General, Major-General, Lieutenant- General (Army); Commodores, first and second class, Rear-Admiral (Navy); Air Commodore, Air Vice- Marshal, or Air Marshal (Air Force)	3 5 0	1 12 6	10 6

FOURTH SCHEDULE
PENSIONS PAYABLE FOR SPECIFIC DISABILITIES

(First Column.) Nature of Disability.	(Second Column.) Percentage of Full Pension payable in Cases of Total Disablement.
	Per Cent.
Loss of two limbs	100
Loss of limb and eye	100
Loss of both hands	100
Loss of all fingers and thumbs	100
Loss of both feet	100
Loss of hand and foot	100
Incurable insanity	100
Very severe facial disfigurement	100
Amputation of right arm through shoulder joint	100
Amputation of leg through hip joint	100
Amputation of leg through upper third of thigh (if without useful stump)	100
Amputation of left arm through shoulder joint	95
Amputation of leg through upper-third of thigh (if with useful stump)	90
Permanent loss of speech	90
Amputation of arm at or above elbow	85
Amputation of leg through knee joint or middle or lower third of thigh	85
Total deafness	85
Severe facial disfigurement	80
Amputation of arm below elbow	75
Amputation of leg below knee	75
Amputation of right hand	75
Amputation of left hand	70
Loss of one eye	50
Loss of four fingers	50
Loss of three fingers	40
Loss of thumb	40
Loss of two fingers	25
Loss of index finger of either hand	20

NOTES TO SCHEDULE

(a) In cases of left-handed persons, pensions in respect of injury to the left hand will be at the rate prescribed as for injury to the right hand and pensions in respect of injury to the right hand will be at the rate prescribed as for injury to the left hand.

(b) For the purposes of this Schedule the expression "loss of" includes "permanent loss of the use of".

FIFTH SCHEDULE

ENACTMENTS REPEALED

- 1915, No. 16.—The War Pensions Act, 1915.
1916, No. 1.—The War Pensions Amendment Act, 1916.
1917, No. 16.—The War Pensions Amendment Act, 1917.
1919, No. 52.—The Finance Act, 1919: Section 13.
1923, No. 13.—The War Pensions Amendment Act, 1923.
1929, No. 29.—The Finance Act, 1929: Section 35.
1935, No. 6.—The War Pensions Amendment Act, 1935.
1935, No. 4.—The War Veterans' Allowances Act, 1935.
1936, No. 27.—The War Pensions Amendment Act, 1936.
1938, No. 13.—The Finance Act, 1938: Part III.
1939, No. 39.—The Statutes Amendment Act, 1939: Section 68.
1940, No. 8.—The War Pensions Amendment Act, 1940.
1940, No. 9.—The War Pensions Extension Act, 1940.
1940, No. 30.—The Finance Act (No. 4), 1940: Part I and section 18.
1941, No. 4.—The Finance Act, 1941: Section 17.
-