

REHABILITATION AMENDMENT BILL

EXPLANATORY NOTE

THIS Bill amends the Rehabilitation Act 1941 to extend the present provisions which entitle children of deceased servicemen to assistance.

Clause 1 relates to the Short Title.

Clause 2 amends section 2 of the principal Act by repealing paragraphs (b) and (c) of subsection (5), and substituting four new paragraphs.

The new paragraph (b) entitles the child of a serviceman to assistance if the serviceman has died from any cause not attributable to his service while in receipt of a permanent pension granted under the War Pensions Act 1954 at a rate not less than 70 percent of the maximum rate that would be payable in respect of his total disablement.

The new paragraph (c) entitles the child of a serviceman to assistance if the serviceman has died from any cause not attributable to his service and was not at the time of his death in receipt of a pension granted under the War Pensions Act 1954 at a rate not less than the percentage of the maximum rate specified in paragraph (b) of this subclause, but who in the opinion of a War Pensions Board could, if he had not died, have been granted a permanent pension at not less than that percentage of the maximum rate.

The new paragraphs (d) and (e) re-enact without change the provisions of paragraphs (b) and (c) of the present subsection (5) of section 2 of the principal Act. These paragraphs relate, respectively, to children of persons (not being servicemen) who have died while undergoing a course of naval, military, or air force training in New Zealand, and to children of discharged servicemen who as a direct or indirect result of service are totally incapacitated for work.

Clause 3 amends section 4 (2) of the principal Act (as amended by section 2 of the Rehabilitation Amendment Act 1963), by repealing paragraph (ff) and substituting a new paragraph. The effect is to substitute the Secretary of Defence for the Secretary for War Pensions as a member of the Rehabilitation Board. The Rehabilitation Amendment Act 1963 which effected the present provisions of paragraph (ff) is consequentially repealed.

Hon. Mr Thomson

REHABILITATION AMENDMENT

ANALYSIS

Title		2. Interpretation
1. Short Title		3. Rehabilitation Board

A BILL INTITULED

An Act to amend the Rehabilitation Act 1941

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

1. Short Title—This Act may be cited as the Rehabilitation Amendment Act 1969, and shall be read together with and deemed part of the Rehabilitation Act 1941* (hereinafter referred to as the principal Act).

10 **2. Interpretation**—Section 2 of the principal Act is hereby amended by repealing paragraphs (b) and (c) of subsection (5), and substituting the following paragraphs:

15 “(b) Being a serviceman, has died from any cause not attributable to his service, and was at the date of his death in receipt of a permanent pension granted under the War Pensions Act 1954 at a rate not less than 70 percent of the maximum rate that would be payable in respect of his total disablement; or

*1957 Reprint, Vol. 13, p. 233
Amendments: 1959, No. 79; 1963, No. 111

- “(c) Being a serviceman, has died from any cause not attributable to his service, and was not at the date of his death in receipt of a permanent pension granted under the War Pensions Act 1954 at a rate not less than 70 percent of such maximum rate as aforesaid, but who in the opinion of a War Pensions Board could, if he had not died, have been granted a permanent pension at not less than that percentage of the maximum rate; or 5
- “(d) Not being a serviceman, has died while undergoing a course of naval, military, or air force training in New Zealand; or 10
- “(e) Being a discharged serviceman is, as a direct or indirect result of his service totally incapacitated for work,—”. 15

3. Rehabilitation Board—(1) Section 4 of the principal Act (as amended by section 2 (1) of the Rehabilitation Amendment Act 1963) is hereby further amended by repealing paragraph (ff) of subsection (2), and substituting the following paragraph: 20

“(ff) The Secretary of Defence:”.

(2) The Rehabilitation Amendment Act 1963 is hereby consequentially repealed.