

Hon. Mr. Jones.

WAR PENSIONS AMENDMENT.

ANALYSIS.

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A BILL INTITULED

AN ACT to amend the War Pensions Act, 1915.

Title.

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

1. (1) This Act may be cited as the War Pensions Amendment Act, 1936, and shall be read together with and deemed part of the War Pensions Act, 1915 (hereinafter referred to as the principal Act).

Short Title and commencement. See Reprint of Statutes, Vol. VI, p. 796

(2) This Act shall be deemed to have come into force on the first day of July, nineteen hundred and thirty-six.

2. (1) Nothing in this section shall apply to any economic pension granted under the principal Act or to any pension under that Act granted to the widow or a child or the widowed mother of a deceased member of the Forces.

Increasing rates of pensions to certain classes of soldiers' dependants.

(2) Except as provided in the *last preceding* subsection, this section applies to every pension granted under the principal Act to any dependant of a member of the Forces, or to the guardian of any child of a deceased member of the Forces. 5

1932, No. 8 (3) Where any pension to which this section applies was in force immediately prior to the first day of April, nineteen hundred and thirty-two (being the date on which the reduction effected by section twenty-five of the National Expenditure Adjustment Act, 1932, took effect), 10 the rate of such pension shall on the commencement of this Act be restored to the rate in force immediately prior to such reduction.

(4) Where any pension to which this section applies was granted on or after the first day of April, nineteen hundred and thirty-two, the rate of such pension shall on the commencement of this Act be increased to the rate that would have been payable if section twenty-five of the National Expenditure Adjustment Act, 1932, had not been passed. 15 20

Repeal. (5) Section seventeen of the Finance Act, 1935, is hereby repealed. 1935, No. 5

Increasing maximum rate of economic pensions that may be granted to disabled members of Forces.

3. (1) The Board may in its discretion grant to any member of the Forces who is in receipt of a pension under the principal Act in respect of his total or partial disablement an economic pension not exceeding *twenty-five* shillings a week. 25

Repeal.

(2) This section is in substitution for section three of the War Pensions Amendment Act, 1923, and that section is hereby accordingly repealed. 30

Restoration of original rates of other economic pensions.

4. (1) Except as provided in the *last preceding* section, the maximum rates of economic pensions granted under the War Pensions Amendment Act, 1923, are hereby restored to the rates in force before the passing of subsection two of section twenty-five of the National Expenditure Adjustment Act, 1932. 35

(2) The restored maximum rates referred to in the *last preceding* subsection are the following:—

(a) The maximum rate of the economic pension granted under paragraph (a) of section five of the War Pensions Amendment Act, 1923, to the widow of a member of the Forces with one child shall be ten shillings a week: 40

5 (b) The maximum rate of the economic pension granted under paragraph (b) of the said section five to the widow of a member of the Forces with two or more children shall be ten shillings a week, increased by two shillings and sixpence a week for every child in excess of one:

10 (c) The maximum rate of the economic pension granted under section six of the last-mentioned Act to the widowed mother of a member of the Forces shall be twenty shillings a week. The maximum income allowed to an applicant under the said section six shall be two pounds ten shillings a week in the case of a total dependant and thirty-five shillings a week in the case of a partial dependant.

15 (3) The maximum rate of any additional pension payable to a widow under subsection two of section five of the War Pensions Amendment Act, 1923, is hereby restored to fifteen shillings a week.

(4) Any increases to existing pensions provided for by this section or by the *last preceding* section shall be payable as from the commencement of this Act.

25 (5) Section eighteen of the Finance Act, 1935, is hereby repealed.

30 **5.** Section two of the War Pensions Amendment Act, 1935, is hereby amended by omitting from paragraph (b) of subsection one the words " within seven years after the date of his discharge ", and substituting the words " prior to the first day of August, nineteen hundred and thirty-six ".

35 **6.** (1) For the purpose of computing the allowances payable under section five of the War Veterans' Allowances Act, 1935, the following special provisions shall apply:—

40 (a) If the wife of a married veteran is not a dependant of the veteran (within the meaning of the principal Act), the allowance shall be computed in accordance with paragraph (a) of section five of the War Veterans' Allowances Act, 1935, as if the applicant were unmarried, and in any such case, in computing the annual income of the applicant, no account shall be taken of any moneys received by him from any source in respect of his wife or of any children who are not dependants:

Consequential repeal.

1935, No. 5

Extension of meaning of term " dependant " in relation to members of Forces.

1935, No. 6

Computation of allowances under War Veterans' Allowances Act.

1935, No. 4

(b) In the case of any other married veteran, or of a widowed veteran with dependent children, the total allowance shall be computed in the manner prescribed by paragraph (b) of the said section five, and the amount so computed may be payable to the veteran personally or may be allocated, in such proportions as the Board determines, among the veteran and all or any of his dependants. 5

(2) Any allocation under paragraph (b) of 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 nine of the War Veterans' Allowances Act, 1935, become applicable to any person to or in respect of whom an allowance under that 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 such person. 15

(3) A certificate under the hand of the Commissioner shall be conclusive evidence of any allocation made by the Board under the authority of this section. 20