

## WAR PENSIONS AMENDMENT BILL

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### EXPLANATORY NOTE

THIS Bill amends the War Pensions Act 1954.

*Clause 2* increases, during the period 1 January 1964 to 8 September 1964, to £4 per week the allowable income of war pensioners and persons entitled to war veterans' allowances in those cases where at present the allowable income is £3 per week.

After 8 September 1964 the increases provided by this clause will continue in force, as they are incorporated in the new Schedules to the principal Act that, by *clause 3*, are substituted as from 9 September 1964.

*Clause 3* replaces the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, and Ninth Schedules to the principal Act. Although there are no increases in the amounts referred to in the First, Second, or Eighth Schedules, and no change in the Ninth Schedule, these Schedules are, for convenience, included, in order to keep all the Schedules together in the one Amendment Act.

The increases provided for in the amended Schedules, which operate on and from 9 September 1964, are—

- (a) An increase of up to 6s. a week is made in the rates of wives' pensions, mothers' allowances, economic pensions, and war veterans' allowances.
- (b) An increase of up to 3s. 6d. a week is made in the rate of certain war dependants' pensions.
- (c) The allowable income of a widow with one or more dependent children is increased by £1 per week, and will be £6 per week.

As mentioned earlier in this note, the increases in allowable income made by *clause 2* are incorporated in the new Schedules substituted by this clause.

*Clause 4* provides that in computing the rate of any pension or allowance, the amount or value of any supplementary assistance granted pursuant to section 94 of the principal Act (as substituted by *clause 5* of this Bill) is to be disregarded.

*Clause 5* re-enacts in an amended form section 94 of the principal Act, which provides that all money payable by way of pensions and allowances and all expenses incurred in the administration of the principal Act are to be paid out of money appropriated by Parliament.

The new section 94 re-enacts this provision, and includes a new provision in *subsection (1) (c)* conferring express authority to expend any money that may be appropriated by Parliament for the purpose of granting supplementary assistance under a welfare programme approved by the Minister.

*Subsection (2)* provides that where a payment is made to any person by way of supplementary assistance, and due to fraud on the part of that person or to false information given by the wife or husband of that person, an overpayment has been made, the pension or allowance may be reviewed under section 26 of the principal Act or the overpayment may be recovered under section 90 of the principal Act in the same way as if it were an overpayment of a pension or an allowance.

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*Hon. Mr Kinsella*

## WAR PENSIONS AMENDMENT

### ANALYSIS

Title	
1. Short Title	3. Increasing rates of economic and other pensions and allowances
2. Increasing income exemptions of economic pensions and war veterans' allowances in respect of period 1 January 1964 to 8 September 1964	4. Exemption of income from supplementary assistance
	5. Money payable out of Consolidated Revenue Account Schedules

### A BILL INTITULED

#### An Act to amend the War Pensions Act 1954

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 War Pensions Amendment Act 1964, and shall be read together with and deemed part of the War Pensions Act 1954\* (hereinafter referred to as the principal Act).

10 2. **Increasing income exemptions of economic pensions and war veterans' allowances in respect of period 1 January 1964 to 8 September 1964**—(1) In respect of the period commencing on the first day of January, nineteen hundred and sixty-four, and ending with the eighth day of September,  
15 nineteen hundred and sixty-four, the principal Act shall be

\*1957 Reprint, Vol. 16, p. 475

Amendments: 1958, No. 45; 1960, No. 14; 1961, No. 7; 1963, No. 125

deemed to have effect as if the Sixth and Seventh Schedules thereto (as substituted by section 3 of the War Pensions Amendment Act 1963) had been amended in the manner indicated in the First Schedule to this Act.

(2) This section and the First Schedule to this Act shall be deemed to have come into force on the first day of January, nineteen hundred and sixty-four. 5

**3. Increasing rates of economic and other pensions and allowances—**(1) The principal Act is hereby further amended by repealing the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, and Ninth Schedules (as substituted by section 3 of the War Pensions Amendment Act 1963), and substituting the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, and Ninth Schedules set out in the Second Schedule to this Act. 10 15

(2) Section 3 of the War Pensions Amendment Act 1963 and the Schedule to that Act are hereby repealed.

(3) This section and the Second Schedule to this Act shall be deemed to have come into force on the ninth day of September, nineteen hundred and sixty-four. 20

**4. Exemption of income from supplementary assistance—**The principal Act is hereby further amended by inserting, after section 78B (as inserted by section 9 of the War Pensions Amendment Act 1963), the following section:

“78c. In computing the rate of any pension or allowance under this Act, a War Pensions Board shall take no account of the amount or value of any supplementary assistance granted out of the Consolidated Revenue Account from money appropriated by Parliament under section 94 of this Act.” 25 30

**5. Money payable out of Consolidated Revenue Account—**The principal Act is hereby further amended by repealing section 94, and substituting the following section:

“94. (1) There shall from time to time be paid out of the Consolidated Revenue Account, from money appropriated by Parliament for the purpose,— 35

“(a) All money required to be expended in providing pensions and allowances and making other payments under this Act:

“(b) All expenditure incurred in the administration of this Act: 40

“(c) Any money that may be appropriated by Parliament for the purpose of granting supplementary assistance under any welfare programme approved by the Minister.

5 “(2) Where—

“(a) Pursuant to subsection (1) of this section any payment is made out of the Consolidated Revenue Account to any person by way of supplementary assistance; and

10 “(b) The payment was obtained by fraud, or the husband or wife of that person has made any false statement or otherwise misled any officer engaged in the administration of this Act, in relation to his or her income or other personal circumstances, as a result of which the payment was in excess of the amount (if any) that, in the opinion of a War Pensions Board, would otherwise have been paid,—

15 the provisions of sections 26 and 90 of this Act, as far as they are applicable and with any modifications, shall apply  
20 as if the payment was made by way of pension or allowance under this Act and as if the person to whom the payment was made was a person entitled to a pension or allowance of such amount (if any) as, in the opinion of a War Pensions Board, would have been payable but for the fraud or, as  
25 the case may be, the false statement or if that officer had not been misled.”

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## SCHEDULES

Section 2 (1)

## FIRST SCHEDULE

AMENDMENTS OF PRINCIPAL ACT INCREASING INCOME EXEMPTIONS OF  
ECONOMIC PENSIONS AND WAR VETERANS' ALLOWANCES IN RESPECT  
OF PERIOD 1 JANUARY 1964 TO 8 SEPTEMBER 1964

Schedule Amended	Amendment
Sixth Schedule (as substituted by section 3 of the War Pensions Amendment Act 1963)	By omitting from paragraph (b) of clause 1 the expression "£3", and substituting the expression "£4".
Seventh Schedule (as substituted by section 3 of the War Pensions Amendment Act 1963)	By omitting from paragraph (a) of clause 1 the expression "£156", and substituting the expression "£208".
	By omitting from paragraph (b) of clause 1 the expression "£390", and substituting the expression "£442".
	By omitting from paragraph (c) of clause 1 the expression "£390", and substituting the expression "£442".
	By omitting from the same paragraph the expression "£156", and substituting the expression "£208".
	By omitting from paragraph (a) of clause 2 the expression "£78" where it secondly occurs, and substituting the expression "£130".
	By omitting from paragraph (b) of clause 2 the expression "£351", and substituting the expression "£403".
	By omitting from paragraph (c) of clause 2 the expression "£117", and substituting the expression "£169".

Section 3 (1)

SECOND SCHEDULE

NEW FIRST, SECOND, THIRD, FOURTH, FIFTH, SIXTH, SEVENTH, EIGHTH,  
AND NINTH SCHEDULES TO PRINCIPAL ACT  
(Effective on and from 9 September 1964)

"FIRST SCHEDULE

Sections 20, 23,  
28, 62, 65

MAXIMUM RATES OF PENSIONS FOR DISABLED MEMBERS

*Part I—Members of Forces*

1. Under section 20—  
In every case, per week ..... £5 5s.
2. Under section 23—  
In certain cases of severe disablement (additional  
pension), per week ..... £3 3s.
3. Under section 28—  
Clothing allowance (additional pension) as follows—
  - (a) Loss of two limbs or parts, per week ..... 12s. 6d.
  - (b) Loss of leg or part, per week ..... 11s. 6d.
  - (c) Loss of arm or part, per week ..... 8s. 6d.
  - (d) Use of mechanical appliance, etc., per week ..... 8s. 6d.

*Part II—Members of Mercantile Marine*

4. Under section 62—  
The same rates as those specified in Part I of this Schedule.

*Part III—Members of Emergency Reserve Corps*

5. Under section 65—  
The same rates as those specified in Part I of this Schedule.

"SECOND SCHEDULE

Sections 29, 62, 65

MAXIMUM RATES OF ALLOWANCES FOR SERVICES OF ATTENDANTS FOR  
DISABLED MEMBERS

*Part I—Members of Forces*

1. Under section 29—  
In every case, per week ..... £8

*Part II—Members of Mercantile Marine*

2. Under section 62—  
The same rate as that specified in Part I of this Schedule.

*Part III—Members of Emergency Reserve Corps*

3. Under section 65—  
The same rate as that specified in Part I of this Schedule.

Sections 30, 62, 65

## "THIRD SCHEDULE

## MAXIMUM RATES OF PENSION FOR WIFE OF TOTALLY DISABLED MEMBER

*Part I—Members of Forces*

1. Under section 30—  
 In every case, per week ..... £4 16s.

*Part II—Members of Mercantile Marine*

2. Under section 62—  
 The same rate as that specified in Part I of this Schedule.

*Part III—Members of Emergency Reserve Corps*

3. Under section 65—  
 The same rate as that specified in Part I of this Schedule.

Sections 32, 62, 65

## "FOURTH SCHEDULE

## MAXIMUM RATES OF PENSIONS FOR WIDOWS OF DECEASED MEMBERS

*Part I—Members of Forces*

1. Under section 32 (1)—  
 To the widow in every case, according to the rank or rating of the deceased member, as follows—
- |   |             |
|---|-------------|
| (a) Lieutenant-Colonel (Army); Commander (Navy); Wing Commander (Air Force), and all ranks and ratings below, per week  | £3 17s. 6d. |
| (b) Colonel (Army); Captain (Navy); Group Captain (Air Force), per week   | £3 18s.     |
| (c) Brigadier, Brigadier-General, Major-General, Lieutenant-General (Army); Commodore, first or second class, Rear Admiral (Navy); Air Commodore, Air Vice-Marshal, Air Marshal (Air Force), per week | £4          |
2. Under section 32 (2)—  
 Additional mother's allowance to a widow with—
- |  |         |
|--|---------|
| (a) One dependent child, per week            | £3 11s. |
| (b) Two dependent children, per week         | £4 1s.  |
| (c) Three dependent children, per week       | £4 11s. |
| (d) Four dependent children, per week        | £5 1s.  |
| (e) Five dependent children, per week        | £5 11s. |
| (f) Six or more dependent children, per week | £6 1s.  |

*Part II—Members of Mercantile Marine*

3. Under section 32 (1) as applied by section 62—  
 To the widow in every case, per week ..... £3 17s. 6d.
4. Under section 32 (2) as applied by section 62—  
 Additional mother's allowance to a widow with dependent child or children—  
 The same rates as those provided in clause 2 of Part I of this Schedule.



*Part III—Members of Emergency Reserve Corps*

5. Under section 32 (1) as applied by section 65—  
To the widow in every case, per week ..... £3 17s. 6d.
6. Under section 32 (2) as applied by section 65—  
Additional mother's allowance to a widow with dependent child  
or children—  
The same rates as those provided in clause 2 of Part I of this  
Schedule.

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“FIFTH SCHEDULE      Sections 36, 40, 62, 65

MAXIMUM RATES OF PENSIONS FOR CHILDREN OF DISABLED AND  
DECEASED MEMBERS

*Part I—Members of Forces*

1. Under section 36—  
In ordinary cases, per week ..... 15s.
2. Under section 40—  
In certain cases where parents dead, or child not  
under control of its mother, per week ..... £3 3s. 6d.

*Part II—Members of Mercantile Marine*

3. Under section 62—  
The same rates as those specified in Part I of this Schedule.

*Part III—Members of Emergency Reserve Corps*

4. Under section 65—  
The same rates as those specified in Part I of this Schedule.
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Sections 59, 60, 62, 65 "SIXTH SCHEDULE

## MAXIMUM RATES OF ECONOMIC PENSIONS AND ALLOWABLE INCOME

*Part I—Members of Forces*

## 1. Under section 59—

Allowable income of claimant and husband or wife (if any)—

- (a) In the case of a widow with a child or children of the member dependent upon her and supported by her to the satisfaction of a War Pensions Board, per week ..... £6
- (b) In any other case, per week ..... £4

2. For the purposes of clause 1 of this Schedule, the expression 'child or children' includes, if a War Pensions Board thinks fit, a child or children in respect of whom a pension has been continued beyond the age of sixteen years under section 43 of this Act.

## 3. Under section 60—

Economic pension, as follows—

- (a) To any member of the forces, per week ..... £4 16s.
- (b) To the widow of a deceased member of the forces, per week ..... £4 16s.
- (c) To the widowed mother of a deceased member of the forces—
- (i) Where the claimant was wholly dependent on the member or was the mother of two or more sons, being deceased members of the forces, per week ..... £4 16s.
- (ii) In any other case, per week ..... £3 13s. 6d.
- (d) To any person in receipt of a pension under section 55 or section 56 in respect of his own disablement, per week ..... £4 16s.

- (e) To any widow in receipt of a pension under section 55 or section 56 in respect of the death of her husband or son
- The rate of the pension that would be payable to her under paragraph (b) or paragraph (c) of this clause if her husband or son, as the case may be, had been a member of the forces
- (f) To any person who is disqualified from receiving a pension under section 56 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 in respect of a member of the New Zealand forces
- 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 Parts II and III of this Act if the person in respect of whose disablement or death the overseas pension is paid had been a member of the New Zealand forces.

*Part II—Members of Mercantile Marine*

4. Under section 62—

The same rates as those specified in Part I of this Schedule.

*Part III—Members of Emergency Reserve Corps*

5. Under section 65—

The same rates as those specified in Part I of this Schedule.

*Part IV—General*

6. The rates specified in clauses 3, 4, and 5 of this Schedule shall be increased by 10s. per week in any case where the claimant or pensioner is an unmarried person, or, being married, is, in the opinion of a War Pensions Board, living apart from his wife or her husband, as the case may be:

Provided that a War Pensions Board may in its discretion refuse to increase any economic pension under this clause in any case where in the opinion of the Board the claimant or pensioner is sharing household expenses with any other person.

## RATES OF WAR VETERANS' ALLOWANCES

## 1. Under section 69—

(a) To a married male veteran who is qualified to receive an allowance on account of his wife, in respect of himself and his wife £499 4s. per annum, diminished by £1 for every complete £1 of the total annual income of the veteran and his wife (exclusive of any allowance under Part VI of this Act) in excess of £208 per annum.

(b) To a married female veteran £249 12s. per annum, diminished by £1 for every complete £1 of the total annual income of the veteran and her husband (exclusive of any allowance under Part VI of this Act received by the female veteran) in excess of £457 12s. per annum.

(c) In any other case ..... £249 12s. per annum, diminished by £1 for every complete £1 of the total annual income (exclusive of any allowance under Part VI of this Act) of the veteran and his wife (if any) in excess of £457 12s. per annum in the case of a married veteran and in excess of £208 per annum in the case of an unmarried veteran.

## 2. Under section 70—

## Age supplement—

(a) Where a married male veteran and his wife have both attained the age of 65 years £78 per annum, diminished by £1 for every complete £1 of the total annual income of the veteran and his wife (exclusive of any allowance under Part VI of this Act) in excess of £130 per annum.

(b) Where a married female veteran has attained the age of 65 years £39 per annum, diminished by £1 for every complete £1 of the total annual income of the veteran and her husband (exclusive of any allowance under Part VI of this Act received by the female veteran) in excess of £418 12s. per annum.

(c) In any other case where the veteran or the wife of a male veteran has attained the age of 65 years £39 per annum, diminished by £1 for every complete £1 of the total annual income of the veteran and his wife (if any) (exclusive of any allowance under Part VI of this Act) in excess of £169 per annum.

3. Under section 74—

Special allowance where veteran dies leaving widow or dependent child Not exceeding £477 2s. per annum.

4. General—

The rates specified in clause 1 of this Schedule shall be increased by £26 per annum in any case where the person claiming or in receipt of the allowance is an unmarried person:

Provided that a War Pensions Board may in its discretion refuse to increase any allowance under this clause in any case where in the opinion of the Board the person claiming or in receipt of the allowance is sharing household expenses with any other person.

Section 79

“EIGHTH SCHEDULE

MAXIMUM ALLOWABLE EARNINGS OF WOMEN FROM DOMESTIC SERVICE

In every case ..... £78 per annum.

## "NINTH SCHEDULE

## PENSIONS PAYABLE FOR SPECIFIC DISABILITIES

Nature of Disability	Percentage of Full Pension Payable in Cases of Total Disablement
	Per Cent
Total blindness .....	100
Incurable insanity .....	100
Very severe facial disfigurement .....	100
Lower limb amputation through hip joint .....	100
Lower limb amputation through upper third of thigh (if without useful stump) .....	100
Upper limb amputation (where an artificial arm cannot be fitted with retention of elbow joint function) .....	100
Lower limb amputation through upper third of thigh (if with useful stump) .....	90
Permanent loss of speech .....	90
Lower limb amputation through knee joint or middle or lower third of thigh .....	85
Total deafness .....	85
Upper limb amputation (where an artificial arm can be fitted with retention of elbow joint function), but not beyond all the metacarpo-phalangeal joints .....	80
Severe facial disfigurement .....	80
Lower limb amputation, but not beyond the tarso-metatarsal joint .....	75
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

## NOTE TO SCHEDULE

For the purposes of this Schedule, 'loss of' and 'amputation of' include 'permanent loss of the use of.'