

1979/57



THE WAR PENSIONS REGULATIONS 1956,
AMENDMENT NO. 19

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 26th day of March 1979

Present:

THE RIGHT HON. R. D. MULDOON PRESIDING IN COUNCIL

PURSUANT to the War Pensions Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the War Pensions Regulations 1956, Amendment No. 19, and shall be read together with and deemed part of the War Pensions Regulations 1956* (hereinafter referred to as the principal regulations).

(2) Regulations 2 and 3 of, and the First Schedule to, these regulations shall be deemed to have come into force on the 1st day of April 1978.

(3) Regulation 4 of these regulations shall be deemed to have come into force on the 9th day of February 1977.

(4) Regulation 5 of, and the Second Schedule to, these regulations shall be deemed to have come into force on the 1st day of January 1979.

(5) Regulation 6 of, and the Third Schedule to, these regulations shall be deemed to have come into force on the 1st day of October 1978.

2. Alterations of fees payable for medical examinations on and after 1 April 1978—(1) The principal regulations are hereby amended by revoking the Second Schedule (as substituted by regulation 2 (1) of the War Pensions Regulations 1956, Amendment No. 17), and substituting the Second Schedule set out in the First Schedule to these regulations.

(2) Regulation 2 of, and the Schedule to, the War Pensions Regulations 1956, Amendment No. 17, are hereby consequentially revoked.

3. Increasing travelling allowances—(1) Regulation 44 of the principal regulations (as substituted by regulation 5 (1) of the War Pensions Regulations 1956, Amendment No. 15, and amended by regulation 2 (1) of the War Pensions Regulations 1956, Amendment No. 18) is hereby further amended by omitting the expression "\$3.50", and substituting the expression "\$4.05".

(2) Regulation 2 of the War Pensions Regulations 1956, Amendment No. 18, is hereby consequentially revoked.

4. Secretary may authorise payment of funeral expenses—Regulation 45 (3) of the principal regulations (as added by regulation 3 of the War Pensions Regulations 1956, Amendment No. 14) is hereby amended by revoking paragraph (a), and substituting the following paragraph:

"(a) The deceased ex-serviceman was, at the time of his death, in receipt of an economic pension, a war service pension, a war veteran's allowance, or an invalid's benefit or national superannuation payable under the Social Security Act 1964 if, in the case of national superannuation, the income of the ex-serviceman immediately before his death was such that it would not have prevented the payment of an invalid's benefit under that Act; and".

5. Increasing amounts of war bursaries—(1) The principal regulations are hereby further amended by revoking the Sixth Schedule (as substituted by regulation 3 (2) of the War Pensions Regulations 1956, Amendment No. 18), and substituting the Sixth Schedule set out in the Second Schedule to these regulations.

(2) Regulation 3 (2) and (3) of, and the First Schedule to, the War Pensions Regulations 1956, Amendment No. 18, are hereby consequentially revoked.

6. Increasing amounts of motor vehicle loans—(1) The principal regulations are hereby further amended by revoking the Eighth Schedule (as substituted by regulation 4 (1) of the War Pensions Regulations 1956, Amendment No. 18), and substituting the Eighth Schedule set out in the Third Schedule to these regulations.

(2) Regulation 4 of, and the Second Schedule to, the War Pensions Regulations 1956, Amendment No. 18, are hereby consequentially revoked.

SCHEDULES

Reg. 2 (1)

FIRST SCHEDULE

NEW SECOND SCHEDULE TO PRINCIPAL REGULATIONS

Reg. 8

"SECOND SCHEDULE

FEES FOR MEDICAL EXAMINATION

	\$
1. For first medical examination and report on form War 11, embodying an opinion as to attributability of any disability to service. (Complete examination required)	17.50
2. For first medical examination and report on form War 11, not embodying an opinion as to attributability of any disability to service. (Complete examination required)	13.00
3. For any other medical examination and report on form War 11 or form W.S.P.11	11.00
4. For consultation with specialist, including an examination and report of a type specified in clause 1, clause 2, or clause 3 of this Schedule	No specified fee*
5. For consultation in surgery	5.50
6. For each visit to a patient between the hours of 8 a.m. and 6 p.m., Monday to Friday	8.00
7. For each visit to a patient on a Saturday, Sunday, or public holiday, or between the hours of 6 p.m. and 8 a.m., Monday to Friday	13.00
8. Medical travel fee—For each kilometre travelled from surgery or residence	0.40
9. Additional fee for the use of such special methods or tests as the Secretary considers would justify payment of an additional fee	No specified fee*

(In the event of a disagreement between any medical practitioner and the Secretary as to whether any method or test justifies the payment of the additional fee, the Secretary shall refer the matter to the appropriate Divisional Medical Practitioners Disciplinary Committee for its opinion).

In this Schedule the term 'public holiday' means Christmas Day, Boxing Day, New Year's Day, the 2nd day of January, Waitangi Day, Good Friday, Easter Monday, Anzac Day, Sovereign's Birthday, Labour Day, and the holiday observed in the locality concerned as Anniversary Day; and includes, when any of the

*Fees over \$25 subject to approval of departmental medical officer.

FIRST SCHEDULE—*continued*

abovenamed public holidays (other than Waitangi Day and Anzac Day) that can fall on a Saturday or Sunday so falls, the day that is observed in the locality concerned as a substituted public holiday; and also includes, when Boxing Day falls on a Monday, the day following Boxing Day.”

SECOND SCHEDULE

Reg. 5 (1)

NEW SIXTH SCHEDULE TO PRINCIPAL REGULATIONS

“SIXTH SCHEDULE

Reg. 50

MAXIMUM RATES OF WAR BURSARIES

1. Rates for orphan children and children of economic pensioners, war veterans, or war service pensioners—

	Per Year
	\$
(a) Secondary school children	208
(b) Full-time university students, teachers college students, and full-time technical institute students	247
(c) Part-time university students and part-time technical institute students	52
2. Rates in other cases—	
(a) Secondary school children	104
(b) Full-time university students, teachers college students, and full-time technical institute students	124
(c) Part-time university students and part-time technical institute students	52”

Reg. 6 (1)

THIRD SCHEDULE

NEW EIGHTH SCHEDULE TO PRINCIPAL REGULATIONS

Regs. 59, 60

"EIGHTH SCHEDULE

MAXIMUM AMOUNTS OF MOTOR VEHICLE LOANS

Class of Applicant	Amount	Period After Which Loan May Be Written Off
	\$	Years
1. Any applicant who is in receipt of a war pension for permanent total disablement in respect of— (a) Amputation of both legs; or (b) Paraplegia or other equivalent loss of function of both legs	3,500	5
2. In any other case where the applicant is in receipt of a war pension in respect of a permanent locomotive disability assessed at 85 percent or more of total disablement	1,600	2"

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

Regulation 2 provides for a revised Schedule of fees payable for medical examinations on and after 1 April 1978.

Regulation 3 provides for an increase in the rate of the travelling allowances for seriously disabled war pensioners from \$3.50 to \$4.05 a week on and after 1 April 1978.

Regulation 4 amends regulation 45 of the principal regulations which relates to the payment of an ex-servicemen's funeral expenses in certain circumstances. The amendment deletes a reference to social security age benefit which was replaced by national superannuation in February 1977 and provides for a funeral grant to be paid in respect of an ex-serviceman receiving national superannuation at the time of his death if his income was such that he could have qualified for a social security invalid's benefit on income grounds.

Regulation 5 increases, on and after 1 January 1979, the rates of war bursaries payable to secondary school children, technical institute students, teachers college students, and university students.

Regulation 6 increases, on and after 1 October 1978, the maximum amounts of loans available to war pensioners for the purchase of motor vehicles, as follows:

- (a) Loans available to double amputees and paraplegics are increased from \$3,000 to \$3,500:
- (b) Loans available to persons receiving a war pension in respect of a permanent locomotive disability assessed at 85 percent or more of total disablement are increased from \$1,200 to \$1,600.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 29 March 1979.
These regulations are administered in the Department of Social Welfare.