

1967/66



THE WAR PENSIONS REGULATIONS 1956, AMENDMENT NO. 8

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 28th day of March 1967

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL

PURSUANT to the War Pensions Act 1954, 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. 8, and shall be read together with and deemed part of the War Pensions Regulations 1956* (hereinafter referred to as the principal regulations).

(2) These regulations shall be deemed to have come into force on the 1st day of July 1966.

2. Allowances and annuities for decorations—The principal regulations are hereby amended by inserting, after regulation 39, the following Part:

“PART VA—ALLOWANCES AND ANNUITIES FOR DECORATIONS

“**39A. Decorations**—The awards for gallantry specified in the first column of the Tenth Schedule hereto are hereby declared to be decorations for the purposes of section 29A of the Act (as inserted by section 2 (1) of the War Pensions Amendment Act 1966).

*S.R. 1956/7

Amendment No. 1: S.R. 1956/206

Amendment No. 2: S.R. 1960/170

Amendment No. 3: S.R. 1961/98

Amendment No. 4: S.R. 1962/116

Amendment No. 5: (Revoked by S.R. 1966/135)

Amendment No. 6: S.R. 1963/153

Amendment No. 7: S.R. 1966/135

“39B. Eligibility for allowance—(1) Any member of the forces who, in respect of any period of service as a warrant officer, petty officer, non-commissioned officer, rating, soldier, or airman which commenced on or after the 3rd day of September 1939, has been awarded a decoration and who is receiving a pension under Part II of the Act for disablement which occurred during that period while on active service in connection with any war in which the Sovereign was engaged or in connection with any emergency, whether arising out of the obligations of New Zealand under the United Nations Charter or otherwise, or while on active service against any armed force operating against any New Zealand or allied force, may, at the discretion of a War Pensions Board and from such date being not earlier than the 1st day of July 1966 as the Board determines, be paid in addition to that pension an allowance at the rate specified in relation to that decoration in the second column of the Tenth Schedule hereto. In determining whether an allowance should be paid under this regulation, the Board may take into account any gratuity, grant, or other pecuniary benefit that has been or is being paid in respect of the decoration in question.

“(2) No person shall receive an allowance under this regulation in respect of more than one decoration or bar thereto.

“39c. Annuity payable to Victoria Cross holders—There shall be paid to every member of the forces who has been awarded the Victoria Cross in respect of any period of service which commenced on or after the 3rd day of September 1939 an annuity at the rate specified in the Eleventh Schedule hereto. Every such annuity shall be in addition to any allowance which may be payable under regulation 39B of these regulations.

“39d. Persons receiving allowances, etc., from United Kingdom not entitled to receive allowance or annuity under this Part—Where the Government of the United Kingdom has paid or is paying or has agreed to pay a gratuity, annuity, allowance, or addition to pension to any member of the forces in respect of any decoration, that member shall not, while such a payment is being made, be entitled to receive an allowance or annuity in respect of any decoration under this Part of these regulations.”

3. Schedules added—The principal regulations are hereby further amended by adding the Tenth and Eleventh Schedules set out in the Schedule to these regulations.

SCHEDULE

Reg. 3

NEW TENTH AND ELEVENTH SCHEDULES TO PRINCIPAL REGULATIONS

"TENTH SCHEDULE

Regs. 39A, 39B

"ALLOWANCE PAYABLE FOR DECORATIONS IF RECEIVING A DISABLEMENT PENSION

Decorations	Allowance
The Victoria Cross The Military Cross (awarded while serving as a warrant officer) The Distinguished Flying Cross (awarded while serving as a warrant officer) The Distinguished Conduct Medal The Distinguished Service Medal The Conspicuous Gallantry Medal (Naval) The Conspicuous Gallantry Medal (Flying) The Military Medal The Distinguished Flying Medal	} In every case, 10s. per week."

"ELEVENTH SCHEDULE

Reg. 39c

"ANNUITY PAYABLE TO HOLDERS OF VICTORIA CROSS

"In every case, £100."

T. J. SHERRARD,
 Clerk of the Executive Council.

EXPLANATORY NOTE

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

These regulations provide for an allowance of 10s. a week to be paid to holders of certain specified decorations awarded on or after 3 September 1939, if in receipt of a disablement pension.

In addition, provision is made for the payment of an annuity of £100 to holders of the Victoria Cross awarded on or after 3 September 1939.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 March 1967.

These regulations are administered in the Social Security Department.