



SAORSTAT EIREANN.

BILLE NA bPINSEAN SEAN-AOISE, 1924.

OLD AGE PENSIONS BILL, 1924.

*Mar do tugadh isteach
As introduced.*

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SAORSTÁT EIREANN.

BILLE NA bPINSEAN SEAN-AOISE, 1924.

OLD AGE PENSIONS BILL, 1924.

BILL

entitled

5

AN ACT TO AMEND THE OLD AGE PENSIONS ACTS, 1908 TO 1919, AND THE BLIND PERSONS ACT, 1920, IN RESPECT OF THE RATE AT WHICH PENSIONS ARE PAYABLE THEREUNDER AND ALSO IN CERTAIN OTHER RESPECTS. 10

BE IT ENACTED BY THE OIREACHTAS OF SAORSTAT EIREANN AS FOLLOWS:—

Definitions.

1.—In this Act—

the expression “ the Old Age Pensions Acts ” means and includes the Old Age Pensions Acts, 1908 to 1919 and this Act; 15

the expressions “ the Act of 1908,” “ the Act of 1911,” “ the Act of 1919 ” and “ the Act of 1920 ” mean respectively the Old Age Pensions Act, 1908, the Old Age Pensions Act, 1911, the Old Age Pensions Act, 1919, and the Blind Persons Act, 1920;

the expression “ old age pension ” means an old age pension 20 under the Old Age Pensions Acts, 1908 to 1919, or an old age pension under the Old Age Pensions Acts, as the context may require, and in either case includes a pension under section 1 of the Act of 1920;

the expression “ the first appointed day ” means such day as the 25 Minister shall by order appoint to be the first appointed day for the purposes of this Act;

the expression “ the second appointed day ” means such day as the Minister shall by order appoint to be the second appointed 30 day for the purposes of this Act;

the expression “ the third appointed day ” means such day, whether before or after or coinciding with the second appointed day, but not in any case more than six months after the passing of this Act, as the Minister shall by order appoint to be the third 35 appointed day for the purposes of this Act;

the expression “ the Minister ” means the Minister for Finance.

Rate of future old age pensions.

2.—An old age pension which shall commence to accrue on or after the first appointed day shall be at the rate set forth in the First Schedule to this Act in lieu of the rate set forth in the First 40 Schedule to the Act of 1919.

First reduction of rates of existing old age pensions.

3.—(1) Every old age pension which has or shall have commenced to accrue before the first appointed day and is, immediately before that day payable at a rate exceeding one shilling per week shall, on and after the first appointed day and until the second appointed day, be payable at the rate set forth in the 45 Second Schedule to this Act in lieu of the rate set forth in the First Schedule to the Act of 1919.

(2) Every old age pension which has or shall have commenced to accrue before the first appointed day and is, immediately

before that day, payable at the rate of one shilling per week shall continue to be payable and paid at that rate until the third appointed day or until the previous death or disqualification of the person entitled to receive the same, and shall then cease.

5 4.—(1) Immediately upon the passing of this Act every pension officer shall proceed to review all old age pensions payable in his district which—

Review of existing old age pensions for purpose of permanent reduction.

(a) have commenced to accrue before the passing of this Act or shall commence to accrue before the first appointed day, and

10 (b) immediately before the first appointed day are payable at a rate exceeding one shilling per week,

and upon such review the pension officer shall reduce or otherwise adjust such pension to the rate at which the same would be payable according to the scale set forth in the First Schedule to this Act, and shall fix the rate of such pension accordingly.

15 (2) Every pension liable to be reviewed under this section shall, on and after the second appointed day, be payable at the rate fixed by the pension officer on such review in lieu of the rate set forth in the Second Schedule to this Act.

20 (3) Any person who at the commencement of this Act is in receipt of a pension liable to be reviewed under this section and claims to be aggrieved by the review of that pension under this section, may appeal against such review to the local pension committee, who shall consider the matter and give their decision thereon in the same manner and subject to the like appeal to the central pension authority as if the review under this section was the report of a pension officer on a claim referred to him for report and inquiry under section 7 of the Act of 1908.

30 (4) On and after the Friday next after the final determination of an appeal under the foregoing sub-section, the pension the subject of such appeal shall be payable at the rate (hereinafter called the final rate) finally fixed on such appeal in lieu of the rate (hereinafter called the original rate) fixed by the pension officer under this section, and in the event of the final rate being greater than the original rate the difference between such rates for the period during which the original rate was payable shall, on or as soon as conveniently may be after the Friday aforesaid, be paid to the person entitled to receive such pension.

40 5.—(1) The yearly value of any such property as is mentioned in clause (a) of sub-section (1) of section 2 of the Act of 1911 shall be calculated as follows in lieu of the mode of calculation prescribed by that clause or by sub-section (1) of section 4 of the Act of 1919, that is to say—

Amendment of method of calculating value of certain property.

45 (i.) the first twenty-five pounds of the capital value of the said property shall be excluded, and

50 (ii.) the yearly value of so much of the capital value of the said property as exceeds the sum of twenty-five pounds shall be taken to be one-tenth part of the capital value thereof.

(2) This section shall not apply to a calculation of the means of any person who became, before the passing of this Act, entitled to receive an old age pension.

55 (3) Clause (a) of sub-section (1) of section 4 of the Act of 1919 is hereby repealed.

60 6.—(1) If and whenever any person, within five years before or at any time after he becomes entitled to receive an old age pension and either before or after the passing of this Act, assigns any property or income, such property or income shall be taken into account in calculating for the purpose of the Old

Certain property to be included in calculation of means.

Age Pensions Acts or section 1 of the Act of 1920 the means of that person, unless it shall appear that the assignment was a conveyance or transfer by operation of law or was a conveyance or transfer on a *bona fide* sale for valuable consideration in money or money's worth amounting to not less than four-fifths of the value of the property or income, or the estate or interest therein, which was the subject of the sale. 5

(2) The yearly value of any property or income which is by virtue of this section to be taken into account in calculating the means of any person shall be calculated in the like manner as the yearly value of property or income of a similar nature in the actual possession of or actual receipt by such person is required to be calculated, save that such value shall be calculated as of the date on which such person assigned such property or income. 10

(3) Where any person, by means of an assignment to which this section applies, assigns any property or income for valuable consideration in money or money's worth amounting to less than four-fifths of the value of the property or income, or the estate or interest therein, which is the subject of the transaction, such valuable consideration, if or so far as it is in the possession of the person at the time he becomes entitled to receive an old age pension, shall not be taken into account in calculating the means of that person for the purpose of the Old Age Pensions Acts or section 1 of the Act of 1920. 15 20

(4) Sub-section (3) of Section 4 of the Act of 1908 shall not apply to any assignment to which this section applies. 25

(5) This section shall not apply to the calculation of the means of any person who became, before the passing of this Act, entitled to receive an old age pension.

(6) In this section the word "assign" includes any form of conveyance, transfer, or other transaction by which a person parts with the ownership or possession of any property or disentitles himself to receive any income, and the word "assignment" and other cognate words shall be construed accordingly. 30 35

Amendment of statutory condition as to means.

7.—(1) It shall be a statutory condition for—

(a) the receipt by any person before the second appointed day of an old age pension which shall commence to accrue on or after the first appointed day, and

(b) the receipt by any person on or after the second appointed day of any old age pension, 40

that the person must satisfy the pension authorities that his means as calculated under the Old Age Pensions Acts do not exceed thirty-nine pounds five shillings.

(2) Paragraph (3) of Section 2 of the Act of 1908, as amended by sub-section (1) of Section 2 of the Act of 1919, shall cease to have effect in respect of any old age pension to which this Section for the time being applies. 45

Short title and construction.

8.—(1) This Act may be cited as the Old Age Pensions Act, 1924. 50

(2) This Act shall be construed as one with the Old Age Pensions Acts, 1908 to 1919, and those Acts and this Act may be cited together as the Old Age Pensions Acts, 1908 to 1924.

FIRST SCHEDULE.
Future Rate of Pension.

MEANS OF CLAIMANT OR PENSIONER.	RATE OF PENSION PER WEEK.
Where the yearly means of the claimant or pensioner as calculated under the Old Age Pensions Acts do not exceed £18 5 0	
exceed £18 5 0 but do not exceed £20 17 6	9s.
" £20 17 6 " " " "	8s.
" £23 10 0 " " " "	7s.
" £26 2 6 " " " "	6s.
" £28 15 0 " " " "	5s.
" £31 7 6 " " " "	4s.
" £34 0 0 " " " "	3s.
" £36 12 6 " " " "	2s.
" £39 5 0 " " " "	1s.
" £39 5 0	No pension.

SECOND SCHEDULE.
Temporary Rate for Existing Pensions.

MEANS OF PENSIONER.	RATE OF PENSION PER WEEK.
Where the yearly means of the pensioner as calculated under the Old Age Pensions Acts, 1908 to 1919	
do not exceed £26 5s.,	9s.
exceed £26 5s., but do not exceed £31 10s. ...	7s.
" £31 10s., " " " "	5s.
" £36 15s., " " " "	3s.
" £42 " " " "	1s.
" £47 5s. ...	

Saorstát Éireann.

BILLE NA bPINSEAN SEAN-AOISE, 1924.

BILLE

(*mar do tugadh isteach*)
dá ngairmtear

Acht chun Achtanna na bPinsean Sean-Aoise, 1908 go 1919, agus Acht na nDall, 1920, do leasú maidir leis an ráta ar a bhfuil pinsin iníoctha fútha agus maidir le nithe áirithe eile leis.

An t-Aire um Airgead do thug isteach.

Do hordúidh, ag Dáil Éireann, do chlóbhuála,
12adh Feabhra, 1924.

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Saorstát Éireann.

OLD AGE PENSIONS BILL, 1924.

BILL

(*as introduced*)
entitled

An Act to amend the Old Age Pension Acts, 1908 to 1919, and the Blind Persons Act, 1920, in respect of the rate at which pensions are payable thereunder, and also in certain other respects.

Introduced by the Minister for Finance.

Ordered, by Dáil Éireann, to be printed,
12th February, 1924.

DUBLIN:

PUBLISHED BY THE STATIONERY OFFICE.

To be purchased through MESSRS. EASON & SON, LTD.
40 and 41 Lower O'Connell Street,
Dublin.

Printed by MESSRS. CAHILL AND Co., LTD.
[*Sixpence Net.*]