

SAORSTÁT EIREANN.

BILLE NA bPINSEAN SEAN-AOISE, 1932.

OLD AGE PENSIONS BILL, 1932.

Mar do leasúidh i gCoiste.

As amended in Committee.

ARRANGEMENT OF SECTIONS.

Section.

1. Definitions.
2. Substitution of new statutory condition.
3. Calculation of means of husband or wife.
4. Amendment of section 5 of the Act of 1911.
5. Amendment of section 5 of the Act of 1924.
6. Pensions for blind persons over 30.
7. Saving for existing pensions.
8. Pensions committee or sub-committee a local authority for certain purposes.
9. Repeals.
10. Short title, construction, citation and commencement.

SCHEDULE.

Enactments Repealed.

SAORSTAT EIREANN.

BILLE NA bPINSEAN SEAN-AOISE, 1932.

OLD AGE PENSIONS BILL, 1932.

BILL

entitled

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AN ACT TO AMEND THE OLD AGE PENSIONS ACTS,
1908 TO 1928, AND THE BLIND PERSONS ACT, 1920.

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

Definitions.

1.—In this Act—

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the expression “the Act of 1908” means the Old Age
Pensions Act, 1908;

the expression “the Act of 1911” means the Old Age
Pensions Act, 1911;

the expression “the Act of 1919” means the Old Age
Pensions Act, 1919;

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the expression “the Act of 1924” means the Old Age
Pensions Act, 1924 (No. 19 of 1924).

Substitution
of new
statutory
condition.

2.—(1) In lieu of the second statutory condition contained
in paragraph (2) (repealed by this Act) of section 2 of the Act
of 1908 it is hereby enacted that it shall be a condition for
the receipt of an old age pension by any person that he shall
satisfy the pension authorities that he has had his residence in
Saorstát Eireann for an aggregate period of not less than thirty
years, and that in the case of a citizen of Saorstát Eireann
not less than six years, or in the case of any other person not
less than sixteen years of that period were subsequent to his
attaining the age of fifty years.

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(2) For the purpose of the statutory condition imposed by
virtue of the foregoing sub-section of this section a woman who
has married an alien shall be deemed to be a citizen of Saorstát
Eireann if she would have been a citizen of Saorstát Eireann
if she had not so married.

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(3) In computing for the purpose of the statutory condition
imposed by virtue of the first sub-section of this section the
period of residence of any person in Saorstát Eireann, any
temporary absence from Saorstát Eireann not exceeding six
months in such period, any residence in the late United Kingdom
of Great Britain and Ireland in such period before the 6th day
of December, 1922, and any absence from Saorstát Eireann in
such period during which such person has maintained or assisted
in maintaining any dependant in Saorstát Eireann, shall be
reckoned in and form part of such period.

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Calculation of
means of
husband or
wife.

3.—In lieu of the provisions (repealed by this Act) of sub-
section (2) of section 2 of the Act of 1911 as amended by
sub-section (2) of section 4 of the Act of 1919 it is hereby
enacted that in calculating the means of a person who is one
of a married couple living together in the same house the
following provisions shall have effect, that is to say:—

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(a) the means of such person shall be taken to be one-half
of the total means of such married couple;

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(b) such person shall be deemed to be entitled to one-half
of all property to which he or the other member of
such married couple is entitled or to which he and
such other member are jointly entitled;

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(c) where one member of a married couple dies, nothing which was reckoned or would (if such deceased member had been entitled to receive an old age pension) have been reckoned as means of such deceased member for the purposes of the Old Age Pensions Acts, 1908 to 1928, shall be reckoned as means of the surviving member of such married couple for the purpose of reducing the pension of such surviving member if any payment in respect of such pension was made before the death of such deceased member or becomes payable in respect of a period previous or partly previous to such death.

4.—Section 5 of the Act of 1911 is hereby amended by the substitution of the words "Saorstát Eireann" for the words "United Kingdom" in paragraph (a) of that section and the said section shall be construed and have effect accordingly.

Amendment of section 5 of the Act of 1911.

5.—Clause (a) of sub-section (1) of section 4 of the Act of 1919 shall apply to every case to which section 5 (repealed by this Act) of the Act of 1924 would have applied if it had not been so repealed.

Application of Section 4 (1) (a) of the Act of 1919.

6.—In lieu of section 1 (repealed by this Act) of the Blind Persons Act, 1920, it is hereby enacted that every blind person who has attained the age of thirty years shall be entitled to receive and to continue to receive such pension as, under the Old Age Pensions Acts, 1908 to 1928, as amended by this Act, he would be entitled to receive if he had attained the age of seventy years, and the provisions of those Acts as so amended (including the provisions as to expenses but excluding the provisions of sub-section (2) of section 10 of the Act of 1908 relating to the giving of notices by registrars of births and deaths) shall apply in all respects to such persons subject to the following modifications, that is to say:—

Pensions for blind persons over 30.

(a) for the first statutory condition contained in section 2 of the Act of 1908 there shall be substituted the condition that the person must be a person who has attained the age of thirty years, and satisfies the pension authorities that he is so blind that either he cannot perform any work for which eyesight is essential or that he cannot continue his ordinary occupation; and

(b) where the pension authorities are satisfied that a person could obtain or carry on remunerative employment or occupation suited to his physical condition and status in life, the remuneration which, in the opinion of the pension authorities, such person might reasonably be expected to derive from such employment or occupation, if he obtained or carried on the same, shall be taken into consideration in computing the means of such person; and

(c) for the statutory condition substituted by this Act for the second statutory condition contained in the said section 2 there shall be substituted the condition that the person shall satisfy the pension authorities that, since reaching the age of eighteen years, he has had his residence in Saorstát Eireann, if he is a citizen of Saorstát Eireann, for an aggregate period of six years and, if he is not such a citizen, for an aggregate period of sixteen years, and the provisions of this Act in relation to the interpretation of the said first-mentioned statutory condition shall apply to the interpretation of the condition imposed by this paragraph.

7.—No person to whom any payment was made before the commencement of this Act in respect of an old age pension shall be deprived of such pension or suffer any reduction of such pension by reason of anything contained in this Act if he would not have been liable to suffer such deprivation or reduction (as the case may be) if this Act had not been passed.

Saving for existing pensions.

Pensions committee or sub-committee a local authority for certain purposes.

8.—Every local pensions committee, and every sub-committee appointed by a local pensions committee under section 8 of the Act of 1908, shall be a local authority for the purpose of section 15 of the Local Government (Temporary Provisions) Act, 1923 (No. 9 of 1923), and that section shall be construed and have effect 5 accordingly.

Repeals.

9.—The enactments mentioned in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of the said Schedule.

Short title, construction, citation and commencement.

10.—(1) This Act may be cited as the Old Age Pensions Act, 1932.

(2) This Act shall be construed as one with the Old Age Pensions Acts, 1908 to 1928, and those Acts and this Act may be cited together as the Old Age Pensions Acts, 1908 to 1932.

(3) This Act shall come into operation on such day as shall be 15 fixed for that purpose by an order of the Minister for Finance made after consultation with the Minister for Local Government and Public Health.

SCHEDULE.

ENACTMENTS REPEALED.

Session and chapter or number and year.	Short Title.	Extent of Repeal.
8 Edw. VII. c. 40.	Old Age Pensions Act, 1908.	Paragraph (2) of section 2; paragraph (a) of sub-section (1) of section 3.
1 & 2 Geo. V. c. 16.	Old Age Pensions Act, 1911.	Paragraph (d) of sub-section (1), and sub-section (2) of section 2; section 3.
9 & 10 Geo. V. c. 102.	Old Age Pensions Act, 1919.	Section 2; sub-section (1) of section 3; sub-section (2) of section 4.
10 & 11 Geo. V. c. 49.	Blind Persons Act, 1920.	Section 1.
No. 19 of 1924.	Old Age Pensions Act, 1924.	Sections 5 and 7.

Saorstát Éireann.

BILLE NA bPINSEAN SEAN-AOISE, 1932.

BILLE

(mar do leasuíodh i gCoiste)
dá ngairmtear

Acht chun Achtanna na bPinsean Sean-Aoise,
1908 go 1928, agus Acht na nDall, 1920, do
leasú.

*Rúnaí Páirliminte don Aire Rialtais Aitiúla
agus Sláinte Puiblí do thug isteach.*

*Do horduíodh, ag Dáil Éireann, do chlóbhuála,
9adh Meitheamh, 1932.*

BAILE ATHA CLIATH:
FOILLSITHE AG OIFIG AN TSOLATHAIR.

Le ceannach tré aon díoltóir leabhar, no díreach
ó Oifig Díolta Foillseacháin Rialtais, 5, Sráid
Thobair Phádraig, Baile Átha Cliath, C.2.

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Saorstát Éireann.

OLD AGE PENSIONS BILL, 1932.

BILL

(as amended in Committee)
entitled

An Act to amend the Old Age Pensions Acts,
1908 to 1928, and the Blind Persons Act,
1920.

*Introduced by the Parliamentary Secretary to
the Minister for Local Government and Public
Health.*

*Ordered, by Dáil Éireann, to be printed,
9th June, 1932.*

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