

ÉIRE.

AN BILLE ARM-PHINSEAN, 1946. ARMY PENSIONS BILL, 1946.

*Mar do ritheadh ag Dáil Éireann,
As passed by Dáil Éireann.*



ARRANGEMENT OF SECTIONS.

Section.

1. Interpretation.
2. Grant of allowances and gratuities to widow and children of deceased person entitled to wound pension and extra pension under the Act of 1923.
3. Amendment of section 13 of the Act of 1923 and consequential amendments.
4. Married pensions of persons entitled to pensions under section 10 or section 12 of the Act of 1927 in respect of disablement caused by disease or due to a wound attributable to service during the emergency period.
5. Pension under section 12 of the Act of 1927 in respect of disablement caused by disease or due to a wound attributable to service during the emergency period where pensioner in receipt of a wound pension under the Acts.
6. Construction of section 10 of the Act of 1927 and section 5 of this Act as regards occupation by officers of married quarters, etc.
7. Pension under section 10 of the Act of 1927 in respect of disablement caused by disease attributable to service during the emergency period or pension or gratuity under section 12 of the Act of 1927 in respect of disablement due to a wound attributable to such service where pensioner granted a wound gratuity under the Acts.
8. Amendment of section 18 of the Act of 1927.
9. Amendment of section 21 of the Act of 1927 and consequential amendments.
10. Amendment of section 5 of the Act of 1943.
11. Amendment of section 11 of Act of 1937.
12. Pensions to members of the Forces in respect of tuberculosis aggravated, etc., by service during the emergency period.
13. Amendment of section 3 of the Act of 1943.
14. Amendment of section 7 of the Act of 1943.
15. Amendment of section 10 of the Act of 1943.
16. Short title and collective citation.

FIRST SCHEDULE.

ALTERNATIVE RATES OF MARRIED PENSIONS OF OFFICERS AND SOLDIERS.

SECOND SCHEDULE.

RATES OF PENSIONS UNDER SECTION 12 OF THIS ACT.

EIRE.

AN BILLE ARM-PHINSEAN, 1946. ARMY PENSIONS BILL, 1946.

BILL

entitled

AN ACT TO AMEND AND EXTEND THE ARMY PENSIONS ACTS, 1923 TO 1943.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

| | | |
|--|--|----------|
| Interpretation. | 1.—(1) In this Act— | |
| Act of 1923. | the expression “the Act of 1923” means the Army Pensions Act, 1923 (No. 26 of 1923), and, where the context so permits, shall be construed as meaning that Act as amended by the Act of 1927, and Part III of the Act of 1932, and Part III of the Act of 1937; | 10 |
| Act of 1927. | the expression “the Act of 1927” means the Army Pensions Act, 1927 (No. 12 of 1927), and, where the context so permits, shall be construed as meaning that Act as amended by Part III of the Act of 1932, and Part III of the Act of 1937, and the Act of 1941, and the Act of 1943; | 15 |
| Act of 1932. | the expression “the Act of 1932” means the Army Pensions Act, 1932 (No. 24 of 1932), and, where the context so permits, shall be construed as meaning that Act as amended by Part IV of the Act of 1937, and the Act of 1941, and the Act of 1943; | 20 |
| Act of 1937. | the expression “the Act of 1937” means the Army Pensions Act, 1937 (No. 15 of 1937), and, where the context so permits, shall be construed as meaning that Act as amended by the Act of 1941 and the Act of 1943; | 25 |
| Act of 1941. | the expression “the Act of 1941” means the Army Pensions Act, 1941 (No. 2 of 1941), and, where the context so permits, shall be construed as meaning that Act as amended by the Act of 1943; | |
| Act of 1943. | the expression “the Act of 1943” means the Army Pensions Act, 1943 (No. 14 of 1943); | 30 |
| Acts. | the expression “the Acts” means the Army Pensions Acts, 1923 to 1943; | |
| appropriate existing (married pension) rate. | the expression “the appropriate existing (married pension) rate” means— (a) in relation to a married pension payable to a person who was immediately before his discharge an officer, the rate of thirty pounds per annum, (b) in relation to a married pension payable to a person who was immediately before his discharge a soldier, the rate, applicable to his degree of disablement, set out in the third column of the Part substituted, by subsection (6) of section 3 of the Act of 1943, for Part II of the Third Schedule to the Act of 1927; | 35 40 |
| appropriate new (married pension) rate. | the expression “the appropriate new (married pension) rate” means, in relation to a married pension payable to any person, the rate, applicable to his degree of disablement, set out in the First Schedule to this Act; | 45 |
| married pension. | the expression “married pension” means a married pension under subsection (2) of section 10 of the Act of 1927 or under subsection (2) of section 12 of the Act of 1927; | 50 |
| operative date. | the expression “the operative date” means the date of the passing of this Act. | |

(2) References in this Act to the discharge of a person shall be construed as references to his discharge from the forces on or after the 3rd day of September, 1939.

(3) This Act shall be construed as one with the Acts and accordingly every word and expression used in this Act to which a particular meaning is given by the Acts for the purposes of the Acts has in this Act the meaning so given.

2.—(1) The allowances and gratuities specified in the Second and Third Schedule to the Act of 1923 may be granted to the widow and children of a deceased person who—

Grant of allowances and gratuities to widow and children of deceased person entitled to wound pension and extra pension under the Act of 1923.

(a) was immediately before his death in receipt of a wound pension under the Act of 1923 and a further pension under section 2 of the Act of 1923, and

(b) died solely from the wound in respect of which the wound pension was granted.

(2) Every allowance granted under this section shall commence on the day next following the day on which the person, in respect of whom the allowance is granted, died.

3.—(1) Subsection (2) of section 13 of the Act of 1923 is hereby amended by the addition at the end thereof of the following words:—

Amendment of section 13 of the Act of 1923 and consequential amendments.

“ and if such compensation is received after the award of any such pension or allowance the Minister may review the award and, having regard to the amount of such compensation, either terminate the pension or allowance or reduce the amount thereof.”

(2) References in any of the Acts to section 13 of the Act of 1923 shall be construed as references to the said section 13 as amended by subsection (1) of this section.

4.—(1) Where—

Married pensions of persons entitled to pensions under section 10 or section 12 of the Act of 1927 in respect of disablement caused by disease of due to a wound attributable to service during the emergency period.

(a) a person (being a person who was immediately before his discharge an officer and was commissioned before the operative date or being a person who was immediately before his discharge a soldier and was enlisted before the operative date) was, before the operative date, or is, on or after the operative date, granted an emergency-period pension, and

(b) such person is entitled to a married pension, the following provisions shall have effect, that is to say:—

(i) the Minister shall, in case the emergency-period pension was granted before the operative date, as soon as may be after the operative date or, in case the emergency-period pension is granted on or after the operative date, as soon as may be after the grant of the emergency-period pension, cause to be served by post on such person a notice requiring him, within a specified time (not being earlier than twenty-eight days after the date on which the notice is posted), to send to the Minister a statement in writing setting out whether he elects to have the married pension paid at the appropriate existing (married pension) rate or at the appropriate new (married pension) rate,

(ii) if such person complies with the notice, the married pension shall be payable, in case the emergency-period pension was granted before the operative date, as on and from the operative date or, in case

the emergency-period pension was granted on or after the operative date, as on and from the commencement of the emergency-period pension, at whichever of the said rates such person so elects to have it paid,

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(iii) if such person does not comply with the notice, the married pension shall be payable, in case the emergency-period pension was granted before the operative date, as on and from the operative date or, in case the emergency-period pension was granted on or after the operative date, as on and from the commencement of the emergency-period pension, at whichever of the said rates the Minister directs.

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(2) Where—

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(a) a person (being a person who was immediately before his discharge an officer and was commissioned on or after the operative date or being a person who was immediately before his discharge a soldier and was enlisted on or after the operative date) is granted an emergency-period pension, and

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(b) such person is entitled to a married pension, such married pension shall be payable at the appropriate new (married pension) rate.

(3) In this section, the expression "emergency-period pension" means a pension being—

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(a) a pension under section 10 of the Act of 1927 in respect of a disablement caused by disease attributable to service in the forces during the emergency period, or

(b) a pension under section 12 of the Act of 1927 in respect of a disablement due to a wound attributable to such service.

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(4) Subsections (1) and (2) of this section shall not apply in respect of a person who is, by virtue of section 5 of this Act, granted a pension under section 12 of the Act of 1927.

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Pension under section 12 of the Act of 1927 in respect of disablement caused by disease or due to a wound attributable to service during the emergency period where pensioner in receipt of a wound pension under the Acts.

5.—(1) Where—

(a) a person is discharged from the forces on or after the 3rd day of September, 1939 (whether before or after the passing of this Act), and

(b) such person is at the date of his discharge in receipt of a pension (in this section referred to as the existing pension) under the Acts in respect of a disablement (in this section referred to as the pre-emergency-period disablement) caused by a wound attributable to service rendered before the commencement of the emergency period, and

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(c) such person is at the date of his discharge suffering from a disablement (in this section referred to as the emergency-period disablement) caused by disease or due to a wound attributable to service in the forces during the emergency period, and

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(d) such person applies for a pension in respect of the emergency-period disablement, and

(e) such person is at the date of his examination by the Army Pensions Board suffering from the emergency-period disablement,

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the following provisions shall have effect, that is to say—

5 (i) notwithstanding section 20 of the Act of 1927, such person may be granted a pension (in this section referred to as an emergency-period pension) under section 12 of the Act of 1927 in respect of the emergency-period disablement, and for this purpose—

10 (I) the pre-emergency-period disablement shall be deemed to have been due to a wound attributable to service in the forces during the emergency period, and

15 (II) the emergency-period disablement, if caused by disease, shall be deemed to be due to a wound attributable to service in the forces during the emergency period,

20 (III) if the sum total of the pre-emergency-period disablement and the emergency-period disablement exceeds one hundred per cent., the said sum total shall be reckoned as one hundred per cent;

25 (ii) if such person is granted an emergency-period pension, the existing pension and the married pension (if any) payable to such person immediately before the commencement of the emergency-period pension shall cease on such commencement.

(2) If—

(a) an emergency-period pension is granted to any person, and

30 (b) such person was in receipt of a married pension immediately before the commencement of the emergency-period pension,

the following provisions shall have effect—

35 (i) such person shall, for so long after such commencement as he continues to be a married man for the purposes of the Act of 1927, be entitled to be paid and receive a married pension,

(ii) for the purposes of determining the rate of such married pension—

40 (I) in case such person was an officer immediately before his discharge or was a soldier immediately before his discharge and was enlisted before the operative date

45 (A) the Minister shall, as soon as may be after the grant of the special emergency-period pension, cause to be served by post on such person a notice requiring him, within a specified time (not being earlier than twenty-eight days after the date on which the notice is posted), to send to the Minister a statement in writing setting out whether he elects to have the married pension paid in case he was an officer immediately before his discharge, at the appropriate existing (married pension) rate or at the appropriate new (married pension) rate, or in case he was a soldier immediately before his discharge and was enlisted before the operative date, at the rate of five shillings per week or at the appropriate existing (married pension) rate or at the appropriate new (married pension) rate,

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(B) if such person complies with the notice, the married pension shall be payable to him at whichever of the said rates, specified in the notice, such person so elects to have it paid,

(C) if such person does not comply with the notice, the married pension shall be payable at whichever of the said rates, specified in the notice, the Minister directs.

(II) in case such person was a soldier immediately before his discharge and was enlisted on or after the operative date, the married pension shall be payable at the appropriate new (married pension) rate.

(3) If— 15

(a) an emergency-period pension is granted to any person, and

(b) such person was not in receipt of a married pension immediately before the commencement of the emergency-period pension, and 20

(c) either

the emergency-period disablement was caused by disease and such person was at the date of his discharge, in the case of an officer, either in occupation of married quarters or in receipt of lodging, fuel and light allowance as a married officer, or in the case of a soldier, in receipt of marriage allowance as a married soldier, or 25

the emergency-period disablement was due to a wound and such person was at the date on which he received the wound, in the case of an officer, a married man for the purposes of the Act of 1927, or, in the case of a soldier, in receipt of marriage allowance as a married soldier, and 30

(d) such person is at the commencement of the emergency-period pension a married man for the purposes of the Act of 1927, 35

the following provisions shall have effect—

(i) such person shall, for so long after such commencement as he continues to be a married man for the purposes of the Act of 1927, be entitled to be paid and receive a married pension, 40

(ii) for the purpose of determining the rate of such married pension—

(I) in case such person was an officer immediately before his discharge and was commissioned before the operative date or was a soldier immediately before his discharge and was enlisted before the operative date— 45

(A) the Minister shall, as soon as may be after the grant of the emergency-period pension, cause to be served by post on such person a notice requiring him, within a specified time (not being earlier than twenty-eight days after the date on which the notice is posted), to send to the Minister a statement in writing setting out whether he elects to have the married pension paid at the appropriate existing (married pension) rate or at the appropriate new (married pension) rate, 50 55 60

(B) if such person complies with the notice, the married pension shall be payable at whichever of the said rates such person so elects to have it paid,

(C) if such person does not comply with the notice, the married pension shall be payable at whichever of the said rates the Minister directs;

(II) in case such person was an officer immediately before his discharge and was commissioned on or after the operative date or was a soldier immediately before his discharge and was enlisted on or after the operative date, the married pension shall be payable at the appropriate new (married pension) rate.

6.—For the purposes of section 10 of the Act of 1927 and section 5 of this Act, an officer shall be deemed to have been in occupation of married quarters, or in receipt of lodging, fuel, and light allowance at the married rate, during any period when he was absent from duty while on duly authorised sick leave, or while undergoing treatment, as authorised by Defence Force Regulations, in a military or civil hospital, in a sanatorium, in quarters or otherwise, notwithstanding that such allowance was not issued to him, or that he was not in occupation of married quarters during such period, provided he was in receipt of such allowance or in occupation of married quarters prior to such period.

Construction of section 10 of Act of 1927 and section 5 of this Act as regards occupation by officers of married quarters, etc.

7.—Where—

- (a) a person is discharged from the forces on or after the 3rd day of September, 1939 (whether before or after the passing of this Act), and
- (b) such person had been granted a gratuity under the Acts in respect of a disablement caused by a wound attributable to service rendered before the commencement of the emergency period, and
- (c) such person is at the date of his discharge suffering from a disablement (in this subsection referred to as the emergency-period disablement) caused by disease or due to a wound attributable to service in the forces during the emergency period, and
- (d) such person applies for a pension in respect of the emergency-period disablement, and
- (e) such person is at the date of his examination by the Army Pensions Board suffering from the emergency-period disablement,

Pension under section 10 of the Act of 1927 in respect of disablement caused by disease attributable to service during the emergency period or gratuity under section 12 of the Act of 1927 in respect of disablement due to a wound attributable to such service, where pensioner was granted a wound gratuity under the Acts.

the following provisions shall, notwithstanding anything contained in section 20 of the Act of 1927, have effect that is to say:—

(i) in case the emergency-period disablement was caused by disease, such person may, if the degree of the emergency-period disablement is not less than eighty per cent., be granted a pension under section 10 of the Act of 1927 in respect of the emergency-period disablement.

(ii) in case the emergency-period disablement was caused by a wound, such person may be granted a pension or gratuity (whichever is appropriate having regard to the degree of the emergency-period disablement) under section 12 of the Act of 1927 in respect of the emergency-period disablement.

Amendment of section 18 of the Act of 1927.

8.—Subsection (5) of section 18 of the Act of 1927 is hereby amended by the addition at the end thereof of the following words and figures:

“ or before the 1st day of January, 1947, whichever is later ”.

Amendment of section 21 of the Act of 1927, and consequential amendments.

9.—(1) Subsection (1) of section 21 of the Act of 1927 is hereby amended by the deletion of the words “ in the city or county of Dublin ” where they occur therein. 5

(2) References in the Acts to section 21 of the Act of 1927 shall be construed as references to the said section 21 as amended by subsection (1) of this section. 10

(3) Subsection (2) of section 20 of the Act of 1932 is hereby amended by the deletion of the words “ in the city or county of Dublin ” where they occur therein.

(4) Subsection (2) of section 33 of the Act of 1937 is hereby amended by the deletion of the words “ in the city or county of Dublin ” where they occur therein. 15

Amendment of section 5 of the Act of 1943.

10.—(1) The following subsection shall be substituted for subsection (5) (which amends sections 14 and 15 of the Act of 1927) of section 5 of the Act of 1943, that is to say:—

“ (5) Sections 14 and 15 of the Act of 1927 shall be construed as if there were added to the Seventh Schedule to the Act of 1927 the following two new Parts:— 20

PART III.

OFFICERS.

1. For the purposes of this Part of this Schedule each of the following and no other persons shall be deemed to be a dependant of a deceased officer:— 25

(a) his mother,

(b) his father, if over sixty years of age or incapacitated by ill-health, 30

(c) his permanently invalided brother,

(d) his permanently invalided and unmarried sister,

(e) his grandfather,

(f) his grandmother.

2.—(1) Where, in the opinion of the Minister, there is one dependant, and no more, who was wholly dependant on a deceased officer, an allowance shall be payable to that dependant. 35

(2) Where, in the opinion of the Minister, there are two or more dependants who were wholly dependant on a deceased officer, an allowance shall be payable to each of those dependants. 40

3.—(1) Where—

(a) no allowance is payable under paragraph 2 of this Part, and 45

(b) there is, in the opinion of the Minister, one dependant and no more who was mainly dependent on a deceased officer,

an allowance shall be payable to that dependant.

(2) Where—

(a) no allowance is payable under paragraph 2 of this Part, and

(b) there are in the opinion of the Minister two or more dependants who were mainly dependent on a deceased officer,

one allowance and no more shall be payable in respect of the deceased officer and such allowance shall be payable to such one of the said dependants as the Minister considers, having regard to all the circumstances, is the person to whom it should be paid.

4.—(1) Where—

(a) no allowance in respect of a deceased officer is payable under paragraph 2 or paragraph 3 of this Part, and

(b) there is one dependant and no more of such deceased officer,

a gratuity may be granted to that dependant.

(2) Where—

(a) no allowance in respect of a deceased officer is payable under paragraph 2 or paragraph 3 of this Part, and

(b) there are two or more dependants of such deceased officer,

a gratuity may be payable in respect of such deceased officer and such gratuity shall be payable to such one or more, exclusively of the others or other, of the said dependants as the Minister may appoint and, if such power is exercised in favour of more than one of them, in such shares as the Minister may appoint.

5.—(1) Where any dependant was wholly or mainly dependant on more than one deceased person, such dependant shall not receive, in respect of such deceased persons, allowances exceeding in the whole the maximum allowance which could be granted to such dependant under this Schedule in respect of any one of such deceased persons.

(2) Whenever a person is a dependant of more than one deceased person, such person shall not receive, in respect of such deceased persons, gratuities exceeding in the whole the maximum gratuity which could be granted to such person under this Schedule in respect of any one of such deceased persons.

(3) In this paragraph the expression 'deceased person' includes a deceased officer as well as a deceased soldier.

6. An allowance under this Part of this Schedule shall be an annual sum of £52, and a gratuity under this Part of this Schedule shall be such lump sum (not exceeding £112 10s. 0d.) as the Minister may determine.

PART IV.

SOLDIERS.

1. For the purposes of this Part of this Schedule each of the following and no other persons shall be deemed to be a dependant of a deceased soldier—

(a) his mother,

(b) his father, if over sixty years of age or incapacitated by ill-health,

- (c) his permanently invalided brother,
- (d) his permanently invalided and unmarried sister,
- (e) his grandfather,
- (f) his grandmother.

2.—(1) Where, in the opinion of the Minister, there is one dependant and no more who was wholly dependant on a deceased soldier, an allowance shall be payable to that dependant. 5

(2) Where, in the opinion of the Minister, there are two or more dependants who were wholly dependent on a deceased soldier, an allowance shall be payable to each of those dependants. 10

3.—(1) Where—

(a) no allowance is payable under paragraph 2 of this Part, and 15

(b) there is, in the opinion of the Minister, one dependant and no more who was mainly dependent on a deceased soldier,

an allowance shall be payable to that dependant.

(2) Where— 20

(a) no allowance is payable under paragraph 2 of this Part, and

(b) there are, in the opinion of the Minister, two or more dependants who were mainly dependent on a deceased soldier, 25

one allowance and no more shall be payable in respect of the deceased soldier and such allowance shall be payable to such one of the said dependants as the Minister considers, having regard to all the circumstances, is the person to whom it should be paid. 30

4.—(1) Where—

(a) no allowance in respect of a deceased soldier is payable under paragraph 2 or paragraph 3 of this Part, and

(b) there is one dependant and no more of such deceased soldier, 35

a gratuity may be granted to that dependant.

(2) Where—

(a) no allowance in respect of a deceased soldier is payable under paragraph 2 or paragraph 3 of this Part, and 40

(b) there are two or more dependants of such deceased soldier,

a gratuity may be payable in respect of such deceased soldier and such gratuity shall be payable to such one or more, exclusively of the others or other, of the said dependants as the Minister may appoint and, if such power is exercised in favour of more than one of them, in such shares as the Minister may appoint. 45

5.—(1) Where any dependant was wholly or mainly dependent on more than one deceased person, such dependant shall not receive, in respect of such deceased person, allowances exceeding in the whole the maximum allowance which could be granted to such dependant under this Schedule in respect of any one of such deceased persons. 50 55

(2) Whenever a person is a dependant of more than one deceased person, such person shall not receive, in respect of

such deceased persons, gratuities exceeding in the whole the maximum gratuity which could be granted to such person under this Schedule in respect of any one of such deceased persons.

5 (3) In this paragraph the expression 'deceased person' includes a deceased officer as well as a deceased soldier.

6. An allowance under this Part of this Schedule shall be an annual sum of £26, and a gratuity under this Part of this Schedule shall be such lump sum (not exceeding £112 10s. 0d.) as the Minister may determine."
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(2) Every application for a gratuity under subsection (2) of section 14 or subsection (2) of section 15 of the Act of 1927, as amended by this section, shall be made—

15 (a) in case the person in respect of whom the gratuity is claimed died before the operative date, within twelve months after the operative date;

(b) in case such person died on or after the operative date, within twelve months after the date of his death.

20 (3) Subsection (8) of section 5 of the Act of 1943 is hereby amended by the insertion of the words "or gratuity" after the word "allowance".

25 11.—Subsection (1) of section 11 of the Act of 1937 is hereby amended by the substitution, for the words "twelve months after the date of the passing of this Act", of the words and figures "before the 1st day of January, 1947". Amendment of section 11 of Act of 1937.

12.—(1) Where—

30 (a) a person has been discharged from the Forces after the 3rd day of September, 1939, (whether before or after the passing of this Act), and

(b) such person is not entitled to a pension under the Acts or this Act, and

35 (c) such person is at the date of his examination by the Army Pensions Board suffering from a disablement (not being less in degree than eighty per cent.) due to tuberculosis aggravated, accelerated or excited by—

(i) a wound attributable to service in the Forces and received during the emergency period, or

(ii) a disease attributable to service in the Forces during the emergency period, or

40 (iii) service in the Forces during the emergency period,

45 there may be granted to such person a pension at the rate mentioned in the second column of the Second Schedule to this Act opposite to the appropriate degree of disablement in the first column of that Schedule.

(2) Every application for a pension under this section shall be referred by the Minister to the Army Pensions Board.

(3) The following provisions shall have effect in relation to applications for pensions under this section, that is to say—

50 (a) every application shall be made to the Minister within twelve months from the operative date, or within four years from the date of discharge, whichever is the later;

(b) every application shall be in such form and contain such particulars as the Minister may direct.

55 (4) A pension granted to a person under this section shall commence on such day (not being earlier than the date of his discharge or the operative date, whichever is the later) as the Minister may determine.

Pensions to members of the Forces in respect of tuberculosis aggravated, etc., by service during the emergency period.

(5) Section 6 and sections 9 to 14 of the Act of 1923, as amended by this Act, sections 21 and 23 of the Act of 1927, as amended by this Act, and subsection (2) of section 27 and section 31 of the Act of 1937, shall apply in respect of pensions under this section, persons who are or who claim to be entitled to such pensions, persons to whom such pensions are granted, and persons applying for such pensions, as if such pensions were the pensions mentioned in those sections respectively. 5

Amendment of section 3 of the Act of 1943.

13.—Subsection (3) of section 3 of the Act of 1943 is hereby amended by the substitution, for the words “ within twelve months from the date of the passing of this Act ”, of the words and figures “ before the 1st day of January, 1947 ”. 1

Amendment of section 7 of the Act of 1943

14.—(1) Subsection (9) of section 7 of the Act of 1943 is hereby amended as follows:

(a) by the insertion in the definition of the expression “ qualified person ”, after paragraph (a), of the following paragraph: 15

“ (aa) a medal in respect of continuous membership during the period of three months ended on the 11th day of July, 1921, if the Minister is satisfied that it was duly awarded on application made before the 1st day of January, 1947, or ”, 20

(b) by the substitution in paragraph (b), for the words “ said week ”, of the words “ the period which commenced on the 23rd day of April, 1916, and ended on the 11th day of July, 1921.” 25

(2) Every special allowance granted as the result of the amendment of section 7 of the Act of 1943 effected by subsection (1) of this section shall commence on such date (not being earlier than the date of the passing of this Act) as the Minister may determine. 30

Amendment of section 10 of the Act of 1943.

15.—Section 10 of the Act of 1943 is hereby amended by the insertion, in subsections (1) and (2), of the words “ a pension or ” before the words “ an allowance ”. 35

Short title and collective citation.

16.—(1) This Act may be cited as the Army Pensions Act, 1946.

(2) The Acts and this Act may be cited together as the Army Pensions Acts, 1923 to 1946.

FIRST SCHEDULE.

ALTERNATIVE RATES OF MARRIED PENSIONS OF OFFICERS AND SOLDIERS. 40

| Degree of Disablement | Married Pension per week | |
|-----------------------|--------------------------|---|
| | In respect of wife | In respect of each child born not later than nine months after the date of the pensioner's discharge who, being a boy, is for the time being under the age of 18 years or, being a girl, is for the time being under that age and unmarried |
| (1) | (2) | (3) |
| 100 per cent. | s. d. 7 6 | s. d. 4 0 |
| 90 “ “ | 6 9 | 3 7 |
| 80 “ “ | 6 0 | 3 2 |
| 70 “ “ | 5 3 | 2 10 |
| 60 “ “ | 4 6 | 2 5 |
| 50 “ “ | 3 9 | 2 0 |
| 40 “ “ | 3 0 | 1 7 |
| 30 “ “ | 2 3 | 1 2 |
| 20 “ “ | 1 6 | 0 10 |

The sum specified in the second column of this Schedule shall cease to be payable if the pensioner's wife dies or the marriage is lawfully annulled or dissolved.

SECOND SCHEDULE.

RATES OF PENSIONS UNDER SECTION 12 OF THIS ACT.

| Degree of Disablement (1) | Pension (2) |
|------------------------------|----------------|
| Per cent. | Per annum |
| 100 | £100 |
| 90 | 90 |
| 80 | 80 |
| 70 | 70 |
| 60 | 60 |
| 50 | 50 |
| 40 | 40 |
| 30 | 30 |
| 20 | 20 |

Éire.

Éire.

AN BILLE ARM-PHINSEAN, 1946.

ARMY PENSIONS BILL, 1946.

BILLE

BILL

dá ngairmtear

entitled

Acht do leasú agus do leathnú na nAcht Arm-
Phinsean, 1923 go 1943.

An Act to amend and extend the Army Pensions
Acts, 1923 to 1943.

Rite ag Dáil Éireann, 14ú Feabhra, 1946.

Passed by Dáil Éireann, 14th February, 1946.

BAILE ATHA CLIATH:
FOILLSITHE AG OIFIG AN tSOLATHAIR.

DUBLIN:
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