AN BILLE ARM-PHINSEAN, 1953.
ARMY PENSIONS BILL, 1953.

Mar a ritheadh ag Dáil Éireann.
As passed by Dáil Éireann.

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AN BILLE ARM-PHINSEAN, 1953.
ARMY PENSIONS BILL, 1953.

BILL

entitled

AN ACT TO AMEND AND EXTEND THE ARMY PENSIONS ACTS, 1923 TO 1949.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :—

PART I.

Preliminary and General.

Short title and collective citation.

1.—(1) This Act may be cited as the Army Pensions Act, 1953.

(2) The Acts and this Act may be cited together as the Army Pensions Acts, 1923 to 1953.

Interpretation.

2.—(1) In this Act—

"the Act of 1923" means the Army Pensions Act, 1923 (No. 26 of 1923);

"the Act of 1927" means the Army Pensions Act, 1927 (No. 12 of 1927);

"the Act of 1932" means the Army Pensions Act, 1932 (No. 24 of 1932);

"the Act of 1937" means the Army Pensions Act, 1937 (No. 15 of 1937);

"the Act of 1941" means the Army Pensions Act, 1941 (No. 2 of 1941);

"the Act of 1943" means the Army Pensions Act, 1943 (No. 14 of 1943);

"the Act of 1946" means the Army Pensions Act, 1946 (No. 3 of 1946);

"the Act of 1949" means the Army Pensions Act, 1949 (No. 19 of 1949);

"the Increase Act of 1949" means the Army Pensions (Increase) Act, 1949 (No. 28 of 1949);

"the Acts" means the Army Pensions Acts, 1923 to 1949, but does not include this Act;

"the April, 1922-September, 1924, period" means the period which commenced on the 1st day of April, 1922, and ended on the 30th September, 1924;

"military service" has the meaning assigned to that expression by subsection (1) of section 5 of the Act of 1932 for the purposes of Part II of that Act;

"pre-truce military service" means military service during any part of the period beginning on the 1st day of April, 1916, and ending on the 11th day of July, 1921;

"post-truce military service" means military service during any part of the period beginning on the 12th day of July, 1921, and ending on the 30th day of September, 1923.

(2) This Act shall be construed as one with the Acts.

(3) References in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment.

PART II.

Allowances to Relatives of Deceased Persons with Pre-Truce Service.

Application of this Part.

3.—(1) This Part applies in respect of—

(*a*) every deceased person who was engaged in pre-truce military service and in respect of whom section 7 or section 8 of the Act of 1923 applies;

(*b*) every deceased person to whom section 14 of the Act of 1927 applies and who was engaged in pre-truce military service and—

(i) who, having served in the forces, died before the 1st day of October, 1927, while serving in the forces or, having been discharged from the forces, died within four years after such discharge and before the 1st day of October, 1927, and whose death was due solely to disease attributable to service in the forces during the period which commenced on the 1st day of April, 1922, and ended on the 30th day of September, 1923, or

(ii) who, not having served in the forces, died before the 11th day of July, 1925, and was a member of the Irish Volunteers or of the Irish Citizen Army and whose death was due solely to disease attributable to his military service in the Irish Volunteers or the Irish Citizen Army (as the case may be), or

(iii) who, having served in the forces, died before the 1st day of October, 1927, while serving in the forces or, having been discharged from the forces, died within four years after such discharge and before the 1st day of October, 1927, and was a member of the Irish Volunteers or of the Irish Citizen Army and whose death was due solely to disease attributable to military service in the Irish Volunteers or the Irish Citizen Army (as the case may be) or to such military service and service in the forces during the period which commenced on the 1st day of April, 1922, and ended on the 30th day of September, 1923;

(*c*) every deceased person who was a member of an organisation to which Part II of the Act of 1932 applies and—

(i) who was engaged in pre-truce military service and was killed before the 1st day of October, 1923, while engaged in either pre-truce military service or post-truce military service in circumstances attributable to such service, or

(ii) who was engaged in pre-truce military service only and received a wound attributable to such service and died within four years after receiving such wound and whose death was due to such wound, or

(iii) who was engaged in pre-truce military service only and died before the 11th day of July, 1925, and whose death was due to disease attributable to such service, or

(iv) who was engaged in pre-truce military service and in post-truce military service, and

(I) died before the 1st day of October, 1927, from a disease attributable to military service in the period which commenced on the 1st day of April, 1916, and ended on the 30th day of September, 1923, or

(II) died from a wound attributable to military service in the said last-mentioned period but within four years after receiving such wound.

(2) Notwithstanding *subsection* (*1*) of this section, this Part shall not apply in respect of a deceased person—

(*a*) in respect of whom section 3 of the Act of 1937 applies, or

(*b*) whose death was due to any serious negligence or misconduct on his part.

Grant of annual allowances to certain persons.

4.—(1) The Minister may, on account of the death of any person in respect of whom this Part applies, on application being made to him—

(*a*) grant to the widow of such deceased person provided such widow had not re-married before the 1st day of January, 1953, an annual allowance of £250 during widowhood;

(*b*) grant to such one parent of such deceased person, as the Minister may direct, an annual allowance of £180;

(*c*) grant to such one sister of such deceased person, as the Minister may direct, provided such sister is unmarried or a widow, an annual allowance of £125, while she remains unmarried or a widow (as the case may be) and provided such sister—

(i) was dependent on such deceased person at the date of his death, or

(ii) should, in the opinion of the Minister for Finance, be treated, having regard to all the circumstances of the case, as a dependant of such deceased person;

(*d*) grant to such one permanently invalided brother of such deceased person, as the Minister may direct, an annual allowance of £125, provided such brother—

(i) was dependent on such deceased person at the date of his death, or

(ii) should, in the opinion of the Minister for Finance, be treated, having regard to all the circumstances of the case, as a dependant of such deceased person.

(2) Only one allowance in respect of the same deceased person shall be payable at any one time under this Part.

Direction as to relative to whom allowance is to be paid.

5.—(1) An allowance under this Part shall be payable to such one of the relatives (being a relative mentioned in *section 4* of this Act) of a deceased person in respect of whom this Part applies (in this section referred to as such deceased person) as the Minister may direct.

(2) Where, on the death of a relative while in receipt of an allowance under this Part, there are one or more surviving relatives (being relatives mentioned in *section 4* of this Act) of such deceased person, the Minister may, on application being made to

him, grant to such one of the said surviving relatives of such deceased person as he may direct, such allowance mentioned in this Part as may be appropriate.

Time limit for making applications under this Part.

6.—(1) Every application for the grant of an allowance under this Part shall be made not later than twelve months after the date of the passing of this Act save an application made by a widow pursuant to *paragraph* (*c*) of *subsection* (*1*) of *section 4* of this Act which shall be made not later than twelve months after she became a widow or twelve months after the date of the passing of this Act whichever is the later and save an application made pursuant to *subsection* (*2*) of *section 5* of this Act which shall be made not later than twelve months after the death of the relative mentioned therein.

(2) Every application shall be in such form and contain such particulars as the Minister may require.

Commencement of allowances under this Part.

7.—(1) An allowance under this Part which is granted to a person who was on the 1st day of January, 1953, in receipt of an allowance (other than a special allowance) under the Acts shall commence on the 1st day of January, 1953.

(2) An allowance under this Part which is granted to a person who was not on the 1st day of January, 1953, in receipt of an allowance (other than a special allowance) under the Acts shall commence on such date as the Minister may determine, but such date shall not be earlier than the date of the passing of this Act.

(3) An allowance under this Part shall, subject to any directions of the Minister in special cases, be paid monthly in arrear and subject to such conditions as to identification or otherwise as the Minister may direct.

Provision against double allowance.

8.—(1) A person to whom an allowance is granted under this Part shall not be entitled to any other allowance under the Acts.

(2) Where a person to whom an allowance is granted under this Part was, immediately before the date of the commencement of that allowance, in receipt of an allowance under the Acts, the last-mentioned allowance shall be deemed to have ceased with effect from the said date and the sum paid in respect of the said last-mentioned allowance in respect of the period commencing on the said date shall be deemed to have been paid in respect of the allowance under this Part.

Reference of applications to Military Service Registration Board.

9.—(1) Notwithstanding any previous report of the Military Service Registration Board the Minister may refer an application for an allowance in respect of a deceased person in respect of whom it is claimed that this Part applies to the Board and request the Board to ascertain and certify to the Minister such particulars as the Minister may require in respect of such person and thereupon the Board shall ascertain and certify to the Minister such particulars.

(2) Every certificate (in this Part referred to as a service certificate) issued by the Board to the Minister under this section shall be in such form as the Minister may prescribe and shall, subject to any variation of the certificate made by the Board under *subsection* (*3*) of this section, be final and conclusive evidence of the matters of fact certified therein.

(3) The Minister may, on the ground that new evidence has become available subsequent to the issue of the certificate, at any time request the Board to review the certificate, and thereupon the Board shall review the certificate and may, after such review, either, as they think proper, confirm or vary it.

(4) (*a*) In case it appeared from the certificate, as originally issued under this section that the deceased person was not a person in respect of whom this Part applies (in this section referred to as a qualified person) and it appears from the certificate, as so varied, that the deceased person was a qualified person, then the Mini-

ster may proceed in like manner as if it appeared from the certificate, before such variation, that the deceased person was a qualified person.

(*b*) In case it appeared from the certificate as originally issued under this section, that the deceased person was a qualified person and an allowance in respect of the deceased person was accordingly granted, and it appears from the certificate, as so varied, that the deceased person was not a qualified person, the Minister shall, as soon as may be, by order revoke the allowance as from the date of the order.

Reference of applications to Army Pensions Board.

10.—Whenever the Minister, after referring under the immediately preceding section to the Registration Board an application for the grant under this Part of an allowance in respect of any deceased person receives from the Registration Board a service certificate in respect of such person, the Minister may, at his discretion, refer the said application to the Army Pensions Board in pursuance of section 7 of the Act of 1927 and thereupon that section shall apply subject to the modification that the Army Pensions Board shall not investigate or report on any matter which has been the subject of ascertainment and certification by the Registration Board under this Part.

Application of certain sections of Acts of 1923 and 1927.

11.—(1) Sections 9, 10, 11, 12, 13 and 14 of the Act of 1923 and section 21 of the Act of 1927 shall apply in respect of allowances under this Part, persons who are or claim to be entitled to such allowances, persons to whom such allowances are granted and persons applying for such allowances as if such allowances were the allowances mentioned in those sections respectively.

(2) The reference in section 21 of the Act of 1927 to persons attending as applicants or witnesses before the Army Pensions Board pursuant to a summons of that Board shall be construed as including a reference to persons attending as applicants or witnesses before the Military Service Registration Board pursuant to a summons of that Board.

PART III.

Increases of Pensions and Allowances under the Acts.

Appropriate sum.

12.—(1) For the purposes of this Part, "the appropriate sum" in relation to a pension means—

(*a*) where the amount of the pension does not exceed £100 a year, 50 per cent. of the amount of the pension,

(*b*) where the amount of the pension exceeds £100 a year but does not exceed £125 a year, £50 a year,

(*c*) where the amount of the pension exceeds £125 a year but does not exceed £150 a year, 40 per cent. of the amount of the pension,

(*d*) where the amount of the pension exceeds £150 a year but does not exceed £200 a year, £60 a year,

(*e*) where the amount of the pension exceeds £200 a year but does not exceed £346 3s. 1d. a year, 30 per cent. of the amount of the pension,

(*f*) where the amount of the pension exceeds £346 3s. 1d. a year, sufficient to bring the amount of the pension to £450 a year.

(2) For the purposes of subsection (1) of this section the amount of a pension shall be the amount of the full pension, whether the pension is in course of payment in full, in part or not at all.

(3) In this section " pension " does not include a further pension under section 2 or section 3 of the Act of 1923, or a married pension.

Increase of allowance to each sister of a Signatory of the Proclamation published on Easter Monday, 1916.

13.—Subsection (1) of section 3 of the Act of 1937 is hereby amended by the substitution in paragraph (*c*) (which relates to the allowance payable to each sister of a Signatory of the Proclamation published on Easter Monday, 1916) of " two hundred and fifty pounds " for " one hundred pounds ".

Increase of wound pensions under section 1 of the Act of 1923.

14.—(1) A wound pension granted under section 1 of the Act of 1923 to an officer discharged from the forces before the 1st day of October, 1924, which under the Acts is payable at the rate mentioned in *column* (*2*) of the *First Schedule* to this Act at a particular reference number shall be payable at the increased rate mentioned in *column* (*3*) of the said *First Schedule* at that reference number.

(2) The amount of a wound pension granted under section 1 of the Act of 1923 to an officer discharged from the forces on or after the 1st day of October, 1924, shall be whichever of the following amounts is the lesser—

(*a*) the amount of such wound pension which would be payable if the Increase Act of 1949 had not been passed, increased by the appropriate sum,

(*b*) the amount which would be payable under the Acts if the officer had been discharged from the forces on the 2nd day of September, 1946, and his rank and service in that rank on that date were the same as those on the date of his actual discharge.

(3) A wound pension granted under section 1 of the Act of 1923 to a soldier which under the Acts is payable at the rate mentioned in *column* (*2*) of the *Second Schedule* to this Act at a particular reference number shall be payable at the increased rate mentioned in *column* (*3*) of the said *Second Schedule* at that reference number.

Increase of wound pensions under section 3 of the Act of 1923.

15.—(1) A wound pension granted under section 3 of the Act of 1923 to a person deemed to have held the rank of officer in the forces which under the Acts is payable at the rate mentioned in *column* (*2*) of the *First Schedule* to this Act at a particular reference number shall be payable at the increased rate mentioned in *column* (*3*) of the said *First Schedule* at that reference number.

(2) A wound pension granted under section 3 of the Act of 1923 to a person deemed to have held the rank of soldier in the forces which under the Acts is payable at the rate mentioned in *column* (*2*) of the *Second Schedule* to this Act at a particular reference number shall be payable at the increased rate mentioned in *column* (*3*) of the said *Second Schedule* at that reference number.

Increase of extra pensions under sections 2 and 3 of the Act of 1923.

16.—A further pension payable under section 2 or under section 3 of the Act of 1923 shall be increased by twenty-five per cent.

Amendment of Second Schedule to the Act of 1923.

17.—In the Second Schedule to the Act of 1923 there shall be substituted—

(*a*) in paragraph 2 and in paragraph 3, " £36 " for " £24 " and " £60 " for " £40 " in both cases where those figures occur, and

(*b*) in paragraph 5, " £1 10s. " for " £1 ".

Amendment of Third Schedule to the Act of 1923.

18.—In the Third Schedule to the Act of 1923 there shall be substituted—

(*a*) in paragraph 1, "£1 6s. 3d." for "17s. 6d.", and

(*b*) in paragraph 4, "£1 2s. 6d." for "15s.".

Increase of disability pensions under section 9 of the Act of 1927.

19.—(1) A disability pension granted under subsection (1) of section 9 of the Act of 1927 to an officer which under the Acts is payable at the rate mentioned in *column* (*2*) of the *First Schedule* to this Act at a particular reference number shall be payable at the increased rate mentioned in *column* (*3*) of the said *First Schedule* at that reference number.

(2) A disability pension granted under subsection (1) of section 9 of the Act of 1927 to a soldier which under the Acts is payable at the rate mentioned in *column* (*2*) of the *Second Schedule* to this Act at a particular reference number shall be payable at the increased rate mentioned in *column* (*3*) of the said *Second Schedule* at that reference number.

Increase of disability pensions under section 10 of the Act of 1927.

20.—(1) The amount of a disability pension granted under subsection (1) of section 10 of the Act of 1927 to an officer discharged from the forces before the 2nd day of April, 1950, shall be determined in accordance with the provisions set out in the *Third Schedule* to this Act.

(2) A disability pension granted under subsection (1) of section 10 of the Act of 1927 to a soldier suffering at the date of his discharge from a disablement caused by disease attributable to service in the forces during the April, 1922-September, 1924, period shall, in lieu of being payable at the rate specified in that behalf in those provisions of the Fourth Schedule to the Increase Act of 1949 which are applicable to his case, be payable at the increased rate specified in that behalf in those provisions of the *Fourth Schedule* to this Act which are applicable to his case.

(3) A disability pension granted under subsection (1) of section 10 of the Act of 1927 to a soldier who was at the date of his discharge from the forces suffering from a disablement caused by disease attributable to service in the forces during the emergency period and which under the Acts is payable at the rate mentioned in *column* (*2*) of the *Second Schedule* to this Act at any reference number shall be paid at the increased rate mentioned in *column* (*3*) of the said *Second Schedule* at that reference number.

Increase of wound pensions under section 11 of the Act of 1927.

21.—(1) A wound pension granted under subsection (1) of section 11 of the Act of 1927 to an officer which under the Acts is payable at the rate mentioned in *column* (*2*) of the *First Schedule* to this Act at a particular reference number shall be payable at the increased rate mentioned in *column* (*3*) of the said First Schedule at that reference number.

(2) A wound pension granted under subsection (1) of section 11 of the Act of 1927 to a soldier which under the Acts is payable at the rate mentioned in *column* (*2*) of the *Second Schedule* to this Act shall be payable at the increased rate mentioned in *column* (*3*) of the said *Second Schedule* at that reference number.

Increase of certain wound pensions under section 12 of the Act of 1927.

22.—(1) The amount of a wound pension granted under subsection (1) of section 12 of the Act of 1927 to an officer discharged from the forces before the 2nd day of September, 1946, shall be determined in accordance with the provisions set out in the *Third Schedule* to this Act.

(2) A wound pension granted under subsection (1) of section 12 of the Act of 1927 to a soldier who was discharged from the forces before the 30th day of July, 1949, and who at the date of his discharge was suffering from a disablement due to a wound attributable to service in the forces other than during the emergency period shall, in lieu of being payable at the rate specified in that behalf in those provisions of the Fourth Schedule to the Increase Act of 1949 which are applicable to his case, be payable at the increased rate specified in that behalf in those provisions of the *Fourth Schedule* to this Act which are applicable to his case.

(3) A wound pension granted under subsection (1) of section 12 of the Act of 1927 to a soldier who was discharged from the forces before the 30th day of July, 1949, and who was at the date of his discharge from the forces suffering from a disablement due to a wound attributable to service in the forces during the emergency period and which under the Acts is payable at the rate mentioned in *column* (*2*) of the *Second Schedule* to this Act at any reference number shall be paid at the increased rate mentioned in *column* (*3*) of the said *Second Schedule* at that reference number.

(4) The First Schedule to the Act of 1949 is hereby amended by the substitution for Part II (which relates to the amount of a wound pension payable to a soldier who was discharged from the forces on or after the 30th day of July, 1949) of the following:

"PART II.

WOUND PENSIONS—SOLDIERS.

Degree of Disablement	Rate of Pension per week
Per cent.	£ s. d.
100	3 1 2
90	2 16 8
80	2 10 5
70	2 4 0
60	1 17 9
50	1 11 6
40	1 5 2
30	18 11
20	12 6

"

Increase of disability pensions under section 13 of the Act of 1927.

23.—(1) A disability pension granted under subsection (1) of section 13 of the Act of 1927 to an officer discharged from the forces before the 1st day of October, 1924, or to a person determined to have been an officer which under the Acts is payable at the rate mentioned in *column* (*2*) of the *First Schedule* to this Act at a particular reference number shall be payable at the increased rate mentioned in *column* (*3*) of the said *First Schedule* at that reference number.

(2) The amount of a disability pension granted under subsection (1) of section 13 of the Act of 1927 to an officer discharged from the forces on or after the 1st day of October, 1924, shall be whichever of the following amounts is the lesser—

(a) the amount of such disability pension as would be payable if the Increase Act of 1949 had not been passed, increased by the appropriate sum,

(*b*) the amount which would be payable under the Acts if the officer had been discharged from the forces on the 2nd day of September, 1946, and his rank and service in that rank on that date were the same as those on the date of his actual discharge.

(3) A disability pension granted under subsection (1) of section 13 of the Act of 1927 to a soldier discharged from the forces before

the 1st day of October, 1924, or to a person determined to have been a soldier which is payable at the rate mentioned in *column (2)* of the *Second Schedule* to this Act at a particular reference number shall be payable at the increased rate mentioned in *column (3)* of the said *Second Schedule* at that reference number.

(4) A disability pension granted under subsection (1) of section 13 of the Act of 1927 to a soldier discharged from the forces on or after the 1st day of October, 1924, shall, in lieu of being payable at the rate specified in that behalf in those provisions of the Fourth Schedule to the Increase Act of 1949 which are applicable to his case, be payable at the increased rate specified in that behalf in those provisions of the *Fourth Schedule* to this Act which are applicable to his case.

Increase of married pensions under sections 9 to 13 of the Act of 1927 and section 5 of the Act of 1946.

24.—A married pension payable under section 9, section 10, section 11, section 12 or section 13 of the Act of 1927 or under section 5 of the Act of 1946 shall be increased by twenty-five per cent.

Increase of certain allowances under subsection (2) of section 15 of the Act of 1927.

25.—The allowances payable under subsection (2) of section 15 of the Act of 1927 and mentioned at paragraphs 1 and 3 of Part I, and at paragraphs 1 and 3 of Part II, of the Seventh Schedule to the Act of 1927 (inserted therein by *section 27* of this Act) to the dependants of an officer or soldier who—

(*a*) was killed while serving in the forces (whether before or after the passing of this Act) in the course of his duty as a member of the forces or in circumstances attributable to his service in the forces, or

(*b*) receives (whether before or after the passing of this Act) while serving in the forces a wound attributable to his service in the forces and dies solely from such wound but within four years after receiving such wound,

shall be increased by 50 per cent.

Amendment of Sixth Schedule to the Act of 1927.

26.—In paragraph 1 of Part II of the Sixth Schedule to the Act of 1927, "£1 6s. 3d." shall be substituted for "17s. 6d.".

Amendment of Seventh Schedule to the Act of 1927.

27.—(1) The following Parts shall be substituted for Part I and Part II of the Seventh Schedule to the Act of 1927:

"*Allowances to Dependants.*

PART I.

OFFICERS.

1. Widow of second lieutenant, lieutenant or captain.	£90 per annum during widowhood.
Widow of major, lieutenant-colonel or commandant.	£135 per annum during widowhood.
Widow of colonel or officer of higher rank.	£170 per annum during widowhood.
2. Widow of officer (any rank) ...	£120 gratuity on first re-marriage.
3. Children who are, in the case of sons, under the age of 18, and in the case of daughters, unmarried and under the age of 21.	(*a*) while mother is living, £27 per annum for each child. (*b*) after death of mother, £50 per annum for each child.
4. Children over the age of 11 and under the age of 18.	Repayment of amount proved to have been in fact necessarily and properly expended in educational fees but not exceeding £60 in any one calendar year in respect of any one child. This allowance is additional to the allowance stated at No. 3.

PART II.

SOLDIERS.

1. Widow	18/9d. per week during widowhood.
2. Widow	Gratuity of £50 on first re-marriage.
3. Children who are, in the case of sons, under the age of 18, and in the case of daughters, unmarried and under the age of 18.	(*a*) while mother is living, 7/- per week for each child. (*b*) after death of mother, 14/- per week for each child.
4. Children over the age of 11 and under the age of 18.	Repayment of amount proved to have been in fact necessarily and properly expended in educational fees but not exceeding £60 in any one calendar year in respect of any one child. This allowance is additional to the allowance stated at No. 3."

(2) Part III of the Seventh Schedule to the Act of 1927 (inserted by subsection (5) of section 5 of the Act of 1943) as amended by subsection (1) of section 10 of the Act of 1946, shall be construed as if there were substituted for the figure " £52 " in paragraph 6 the figure " £78 ".

(3) Part IV of the Seventh Schedule to the Act of 1927 (inserted by subsection (5) of section 5 of the Act of 1943) as amended by subsection (1) of section 10 of the Act of 1946, shall be construed as if there were substituted for the figure " £26 " in paragraph 6 the figure " £39 ".

Increase of wound, disability and married pensions under section 10 of the Act of 1932.

28.—(1) A wound pension or a disability pension granted under subsection (1) or under subsection (2) of section 10 of the Act of 1932 which is payable at the rate mentioned in *column* (*2*) of the *Fifth Schedule* to this Act at a particular reference number shall be payable at the increased rate mentioned in *column* (*4*) of the said Schedule at that reference number.

(2) A married pension granted under subsection (3) of section 10 of the Act of 1932 which is payable at the rate mentioned in *column* (*3*) of the *Fifth Schedule* to this Act at a particular reference number shall be payable at the increased rate mentioned in *column* (*5*) of the said Schedule at that reference number.

Amendment of Second Schedule to the Act of 1932.

29.—(1) There shall be substituted in Part I of the Second Schedule to the Act of 1932—

(*a*) " £101 5s. 0d." for " £67 10s.",

(*b*) " £27 " for " £18 " in each case where the latter occurs,

(*c*) " £45 " for " £30 " in each case where the latter occurs, and

(*d*) " £52 " for " £26 ".

(2) There shall be substituted in Part II of the Second Schedule to the Act of 1932 "22s. 6d." for " 15s.".

(3) Where, under subsection (1) of section 18 of the Act of 1937, Part I of the Second Schedule to the Act of 1932 is to be construed and have effect as if " £90 " were substituted for " £67 10s. 0d.", the said Part I shall be construed and have effect as if " £135 " were substituted for " £90 ".

Increase of pensions under section 26 of the Act of 1937.

30.—(1) Every final pension under section 26 of the Act of 1937 which is payable at the rate of seventeen shillings and three pence per week shall be payable at the rate of one pound two shillings and sixpence per week.

(2) Every final pension under section 26 of the Act of 1937 which is payable at the rate of one pound and three shillings per week shall be payable at the rate of one pound and ten shillings per week.

Increase of pensions under sections 28 and 29 of the Act of 1937.

31.—Section 28 and section 29 of the Act of 1937 shall have effect as if, for the Schedule to the Act of 1937, there were substituted the *Sixth Schedule* to this Act.

Increase of dependants' allowances under section 37 of the Act of 1937.

32.—In subsection (2) and in paragraph (*d*) of subsection (3) of section 37 of the Act of 1937 there shall be substituted the words "sixty pounds" for the words "forty pounds".

Increase of pensions under section 6 of the Act of 1941.

33.—(1) Every final pension under section 6 of the Act of 1941 which is payable at the rate of seventeen shillings and threepence per week shall be payable at the rate of one pound two shillings and sixpence per week.

(2) Every final pension under section 6 of the Act of 1941 which is payable at the rate of one pound and three shillings per week shall be payable at the rate of one pound and ten shillings per week.

Increase of pensions under section 4 of the Act of 1943.

34.—The following Schedule shall be substituted for the Schedule to section 4 of the Act of 1943:

"SCHEDULE.

Degree of Disablement	Scale of Pension
	£ s. d.
100 per cent.	160 0 0 per annum
90 ,, ,,	148 10 0 ,, ,,
80 ,, ,,	132 0 0 ,, ,,
70 ,, ,,	115 10 0 ,, ,,
60 ,, ,,	99 0 0 ,, ,,
50 ,, ,,	82 10 0 ,, ,,
40 ,, ,,	66 0 0 ,, ,,
30 ,, ,,	49 10 0 ,, ,,
20 ,, ,,	33 0 0 ,, ,,

"

Increase of pensions under section 6 of the Act of 1943.

35.—(1) Every final pension under section 6 of the Act of 1943 which is payable at the rate of seventeen shillings and three pence per week shall be payable at the rate of one pound two shillings and sixpence per week.

(2) Every final pension under section 6 of the Act of 1943 which is payable at the rate of one pound and three shillings per week shall be payable at the rate of one pound and ten shillings per week.

Increase of pensions under section 12 of the Act of 1946.

36.—Section 12 of the Act of 1946 shall have effect as if for the Second Schedule to that Act there were substituted the following—

"SECOND SCHEDULE.

RATES OF PENSIONS UNDER SECTION 12 OF THIS ACT.

Degree of Disablement (1)	Pension (2)
100 per cent.	£150 per annum.
90 ,, ,,	£135 ,, ,,
80 ,, ,,	£120 ,, ,,

"

Restrictions on increase of pension.

37.—(1) In this section—

the expression "disablement pension" means a wound or disability pension under the Acts, and includes any further pension under section 2 or section 3 of the Act of 1923 and a married pension;

the expression "Defence Forces pension" means retired pay or pension under any scheme made (whether before or after the passing of this Act) under the Defence Forces (Pensions) Acts, 1932 to 1949, as amended by any subsequent enactment.

(2) The provisions of this Part shall not apply to any disablement pension which under the Acts is payable at the rate of £450 a year or any higher rate.

(3) Where under any of the provisions of this Act a disablement pension would, but for this subsection, be increased to an amount exceeding £450 per annum, the disablement pension shall, subject to *subsections* (*4*) and (*5*) of this section, be increased to £450 per annum and no more.

(4) Where—

(*a*) a person is in receipt of a disablement pension, and

(*b*) such person is also in receipt of a Defence Forces pension, and

(*c*) the aggregate amount of—

(i) the disablement pension, and

(ii) the net amount of the Defence Forces pension is £450 per annum or more,

then, no increase of the disablement pension shall be made under this Act.

(5) Where—

(*a*) a person is in receipt of a disablement pension, and

(*b*) such person is also in receipt of a Defence Forces pension, and

(*c*) the aggregate amount of—

(i) the disablement pension, and

(ii) the net amount of the Defence Forces pension is less than £450 per annum, and

(*d*) the said aggregate amount would, if the disablement pension were increased under the provisions of this Act, exceed £450 per annum,

then, the disablement pension shall be increased only by such amount under this Act as will bring the aggregate amount of the disablement pension and of the net amount of the Defence Forces pension up to £450 per annum.

Commencement of this Part.

38.—This Part shall be deemed to have come into operation on the 1st day of January, 1953, and the increase in pensions (including further and married pensions) and allowances provided by this Part shall have effect from that date.

PART IV.

Amendment of the Acts in Relation to Married Pensions and Widows' Allowances.

Amendment of the Acts in relation to married pensions.

39.—(1) In this section "the relevant provisions of the Acts" means—

(*a*) subsection (2) of section 2 of the Act of 1923,

(*b*) subsection (2) of section 9, subsection (2) of section 10, subsection (2) of section 11, subsection (2) of section 12 and subsection (2) of section 13 of the Act of 1927, and

(*c*) subsection (3) of section 10 of the Act of 1932.

(2) The relevant provisions of the Acts, as respects any person who was engaged in pre-truce military service and who is in receipt

of a disability pension or a wound pension under the Acts, shall, with effect from the 1st day of January, 1953, be construed as if, in respect of a disease contracted during service which terminated before the 10th day of December, 1932, or a wound received before the 10th day of December, 1932, the sole condition necessary as to the marriage of that person for the grant of a further pension or a married pension to such person was that such marriage took place before the 10th day of December, 1932, and accordingly, the appropriate further pension or married pension shall, on application being made to the Minister, be payable under the Acts, from the 1st day of January, 1953, or from the date of the commencement of the disability pension or the wound pension, whichever is the later, to such person provided he was, on whichever of the said dates is applicable, a married man for the purposes of the Acts.

(3) Every application for a pension under the relevant provisions of the Acts as amended by this Act shall be made not later than twelve months after the date of the passing of this Act and shall be in such form and contain such particulars as the Minister may require.

(4) Nothing in this section shall be construed as authorising the payment of a further pension or a married pension to a person who was granted such pension in respect of a period before the 10th day of December, 1932, and whose wife died and who re-married before that date.

Amendment of the Acts in relation to widows' allowances.

40.—(1) In this section "the relevant provisions of the Acts" means—

(*a*) the following provisions of the Act of 1927, namely—

(i) paragraph (ii) of subsection (1) of section 14 (in so far as it applies to a person mentioned in paragraph (*e*) of that subsection) as amended by subsection (1) of section 25 of the Act of 1932,

(ii) subsection (6) of section 14 (in so far as it relates to a person mentioned in paragraph (*a*), paragraph (*b*) or paragraph (*c*) of subsection (2) of that section),

(iii) subsection (4) of section 15 (in so far as it relates to a person mentioned in paragraph (*a*), paragraph (*b*) or paragraph (*c*) of subsection (2) of that section);

(*b*) section 12 of the Act of 1932, as amended by section 19 of the Act of 1937.

(2) The relevant provisions of the Acts, as respects any deceased person who was engaged in pre-truce military service, and

(*a*) who was a member of an organisation to which Part II of the Act of 1932 applied, or

(*b*) who either died from a disease before the 10th day of December, 1932, while serving in the forces, or was discharged from the forces before the said date suffering from a disease, or

(*c*) who, in the case of a person who was killed, was killed before the 10th day of December, 1932, or

(*d*) who, in the case of a person who died as a result of a wound, received such wound before the 10th day of December, 1932,

shall, with effect from the 1st day of January, 1953, be construed as if the sole condition necessary as to the marriage of that person, for the grant of a widow's allowance and children's allowances under the Acts to the widow and children of such person was that such marriage took place before the 10th day of December, 1932,

and accordingly, the appropriate widow's allowance and children's allowances shall, on application being made to the Minister, be payable under the Acts, from the 1st day of January, 1953, to such widow (provided she had not remarried on or before the said 1st day of January, 1953) and children.

(3) Where a person who was engaged in pre-truce military service died while in receipt of a wound pension or a disability pension and would have been entitled, immediately prior to the date of his death, to a further pension or a married pension if the sole condition for the grant of such further pension or married pension had been that the date of his marriage was before the 10th day of December, 1932, and provided the death of such person was due solely to the wound or disease in respect of which the wound pension or the disability pension (as the case may be) was granted the Minister, on application being made to him, may, with effect from the 1st day of January, 1953, grant to the widow (provided she had not remarried before the said 1st day of January, 1953), and children of such person the appropriate allowances under the Acts as amended by this Act.

(4) (*a*) No application under the Acts as amended by this Act for a widow's or child's allowance in respect of a deceased person shall be entertained unless an application was previously duly made under the Acts for such allowance or for a widow's gratuity in respect of that deceased person.

(*b*) Notwithstanding *paragraph* (*a*) of this subsection, it shall be lawful for the widow and children of a deceased person who, at the date of his death, was in receipt of a disability pension or a wound pension to apply for and be granted a widow's and child's allowance under the Acts as amended by this Act.

(*c*) Notwithstanding *paragraph* (*a*) of this subsection, it shall be lawful for a person who did not previously apply for a widow's or child's allowance or for a widow's gratuity under the Acts in respect of the death of a person to whom *subsection* (*2*) of this section applies to apply for and be granted such allowance under the Acts as amended by this Act provided that, if such person had duly made an application for an allowance or gratuity under the Acts in respect of such deceased person, such application would have been refused solely on the ground that the applicant did not comply with the relevant provisions of the Acts.

(5) (*a*) Where, before the passing of this Act, an application was duly made under the Acts for a widow's or child's allowance or for a gratuity in respect of a deceased person and such application was refused on grounds other than failure to comply with the relevant provisions of the Acts, no further application under the Acts as amended by this Act in respect of that deceased person shall be entertained.

(*b*) It shall be lawful for a person who previously applied for a widow's or child's allowance or for a widow's gratuity under the Acts and whose application was refused solely on the ground of failure to comply with the relevant provisions of the Acts, to apply for and be granted such allowance under the Acts as amended by this Act.

(6) Nothing in this section shall be construed as authorising the grant of an allowance on account of the death of a person whose wife died before the 10th day of December, 1932, and who remarried before that date if, were it not for her death, his first wife would have qualified for an allowance under the Acts as amended by this Act.

(7) Every application for an allowance under the relevant provisions of the Acts as amended by this Act shall be made not later than twelve months after the date of the passing of this Act and shall be in such form and contain such particulars as the Minister may require.

PART V.

Amendment of the Acts in Relation to Special Allowances.

Amendment of section 7 of the Act of 1943.

41.—(1) Section 7 of the Act of 1943 is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) (*a*) Subject to the provisions of this section the Minister may, with the consent of the Minister for Finance, grant an allowance (in this section referred to as a special allowance) to any qualified person in whose case the Minister and the Minister for Finance are satisfied that the statutory conditions are complied with.

(*b*) The Minister for Finance may, from time to time and in respect of a specified period, give, subject to such conditions as he may from time to time decide, a general consent for the purpose of paragraph (*a*) of this subsection, and during any such specified period the requirement that the Minister for Finance be satisfied that the statutory conditions are complied with shall not apply."

(2) The following subsection is hereby substituted for subsection (6) of section 7 of the Act of 1943—

"(6) (*a*) Where an application for a special allowance has been refused or where a special allowance has terminated or has been terminated, no further application for such allowance or no application for a renewal of such allowance (as the case may be) shall be entertained within a period of twelve months from the date of the refusal or termination.

(*b*) Notwithstanding paragraph (*a*) of this subsection the Minister may, in his absolute discretion, entertain a further application made within twelve months after the refusal or termination of a special allowance if the applicant produces evidence satisfactory to the Minister that he complies with the statutory conditions."

(3) The definition of the expression "qualified person" contained in subsection (9) of section 7 of the Act of 1943, as amended by subsection (1) of section 14 of the Act of 1946 and by subsection (2) of section 9 of the Act of 1949, is hereby repealed, and for the purposes of the said section 7 of the Act of 1943 a qualified person means—

(*a*) a person who was a member of an organisation to which Part II of the Act of 1932 applies and who was granted—

(i) a certificate of military service under the Military Service Pensions Act, 1924 (No. 48 of 1924), or a service certificate under the Military Service Pensions Act, 1934 (No. 43 of 1934), in respect of service during any part of the period which commenced on the 23rd day of April, 1916, and ended on the 11th day of July, 1921, or

(ii) a wound or disability pension under the Acts in respect of a wound received or a disability contracted in the said period, or

(iii) a medal in respect of service during any part of the week which commenced on the 23rd day of April, 1916, or

(iv) a medal in respect of continuous membership during the period of three months which ended on the 11th day of July, 1921, if the Minister is satisfied that it was duly awarded on application made not

later than twelve months after the date of the passing of this Act; or

(*b*) a person who was granted a service, wound or disability pension under the Connaught Rangers (Pensions) Acts, 1936 to 1953.

(4) Subsection (9) of section 7 of the Act of 1943 is hereby amended—

(*a*) by the substitution for the words "the expression 'the appropriate annual sum' means" of the following—
"the expression 'the appropriate annual sum' means, in relation to a person whose age is seventy years or more";

(*b*) by the insertion, immediately after the definition of the expression mentioned in paragraph (*a*) of this subsection of the following—
"the expression 'the appropriate annual sum' means, in respect of a person whose age is less than seventy years—

(*a*) in relation to a single man or woman, or a married man or woman married after the 30th day of September, 1942, or a widower or a widow married after the 30th day of September, 1942, or a widower or widow with no children, £104;

(*b*) in relation to a married man or woman married before the 1st day of October, 1942, whose spouse is living but who has no children, £130;

(*c*) in relation to a married man or woman married before the 1st day of October, 1942, whose spouse is living and who has children, the sum of the following amounts, namely, £130 and £10 8s. in respect of each child;

(*d*) in relation to a widower or widow married before the 1st day of October, 1942, who has children, the sum of the following amounts, namely, £104, and £10 8s. in respect of each child."

Review of special allowances.

42.—(1) An allowance under section 7 of the Act of 1943 (in this Act referred to as a special allowance) may be reviewed by the Minister at his discretion, either of his own volition or at the request of the person to whom such allowance was granted.

(2) If it appears as the result of a review under *subsection* (*1*) of this section that a person is not eligible for a special allowance or for such allowance at the rate payable immediately before the date of review, the allowance shall (as the case may require) either be terminated or reduced to the appropriate rate as from the date of the Minister's decision that such person is not eligible for a special allowance or for such allowance at the rate payable immediately before the date of review save that, where the death of a spouse or child is duly notified, the termination or reduction (as the case may be) shall have effect as from the date of such death.

(3) If it appears as the result of a review under *subsection* (*1*) of this section that a person is eligible for an increased allowance, the allowance may be increased to the appropriate rate as from the date of the Minister's decision that such person becomes eligible for the increased allowance.

(4) Where a person who is incapable of self-support by reason of permanent infirmity of body or mind is granted a special allowance the Minister in his discretion may at any time review such

person's medical condition, and if, as the result of any such review, the Minister is satisfied that such person no longer fulfils the statutory condition relating to permanent infirmity the special allowance shall be terminated as from the date on which the Minister becomes satisfied that such person no longer fulfils the statutory condition relating to permanent infirmity.

(5) Subsection (7) of section 7 of the Act of 1943 (inserted by subsection (1) of section 9 of the Act of 1949) is hereby repealed.

Obligation to notify the Minister of certain occurrences.

43.—(1) On the occurrence, in the case of any person who is in receipt of a special allowance, of any improvement in such person's means since such person's means were last investigated on behalf of the Minister, and on the occurrence in the case of any such person who was married before the 1st day of October, 1942, of the death of such person's spouse or child, then such person shall, within one month of the date of such occurrence, notify the Minister or cause the Minister to be notified thereof in writing.

(2) Where a person fails to comply with *subsection (1)* of this section such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty-five pounds or, at the discretion of the Court, to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(3) Section 14 of the Act of 1949 shall apply as if the reference in paragraph (*b*) of subsection (1) to a false statement were a reference to a failure to comply with *subsection (1)* of this section.

(4) In this section "child" has the same meaning as in section 7 of the Act of 1943.

Gratuities to relatives of certain deceased persons.

44.—(1) Where a person who had been in receipt of a special allowance dies after the termination of the last award and before a new award had been made and where a new award would have been made but for the death of such person, then, notwithstanding subsection (1) of section 12 of the Act of 1949, the Minister may pay, in respect of such person, a gratuity equal to the amount of the special allowance which would, at such person's death, have accrued due on foot of the new award.

(2) Subsections (3) and (4) of section 12 of the Act of 1949 shall apply in respect of a gratuity payable under this section.

(3) Subsections (1) and (2) of this section shall be deemed to have come into operation on, and shall have effect on and from, the 1st day of July, 1950.

PART VI.

Miscellaneous.

Allowances to certain children of Signatories to the Proclamation published on Easter Monday, 1916.

45.—(1) There shall be paid out of moneys provided by the Oireachtas, on application being made to the Minister, an annual allowance of £125 to—

(*a*) each daughter of a Signatory to the Proclamation published on Easter Monday, 1916, and

(*b*) each son of such Signatory, where the Minister is satisfied that such son is incapable of self-support by reason of age or permanent infirmity of body or mind.

(2) Each allowance under *subsection (1)* of this section shall be payable monthly in arrear and shall commence on such date (not being earlier than the date of the passing of this Act) as the Minister may determine.

Amendment of section 9 of the Act of 1923.

46.—The Minister for Finance may from time to time and in respect of a specified period give, subject to such conditions as he may from time to time decide, and in respect of pensions, allowances and gratuities payable under any provision of the Acts or of this Act to which section 9 of the Act of 1923 applies, a general consent for the purpose of the said section 9.

47.—Subsection (2) of section 10 of the Act of 1927 shall, as respects an officer who is discharged from the forces on or after the 2nd day of April, 1950, have effect as if, for the words inserted therein by paragraph (*b*) of subsection (1) of section 3 of the Act of 1943, there were substituted the following— Amendment of section 10 of the Act of 1927.

"on the day preceding the date of his discharge, in the case of an officer, a married officer within the meaning of the Defence Force Regulations governing the pay of officers in force on the said day or in the case of a soldier, was, on the date of his discharge, in receipt of marriage allowance as a married soldier."

48.—(1) Section 10 and section 12 of the Act of 1927 shall, in their application to an officer who is discharged from the forces on or after the date of the passing of this Act, have effect as if there were substituted for the Table contained in Part I of the Third Schedule to that Act the following Tables: Amendment of sections 10 and 12 of the Act of 1927.

"Officer who was a married officer within the meaning of the Defence Force Regulations governing the pay of officers in force on the day before the day of his discharge from the forces.

Degree of Disablement (1)	Scale of Pension (2)
per cent.	
100	48 per cent. of annual pay at the date of discharge.
90	43 per cent. of annual pay at the date of discharge.
80	39 per cent. of annual pay at the date of discharge.
70	34 per cent. of annual pay at the date of discharge.
60	29 per cent. of annual pay at the date of discharge.
50	24 per cent. of annual pay at the date of discharge.
40	19 per cent. of annual pay at the date of discharge.
30	14 per cent. of annual pay at the date of discharge.
20	10 per cent. of annual pay at the date of discharge.

Officer who was not a married officer within the meaning of the Defence Force Regulations governing the pay of officers in force on the day before the day of his discharge from the forces.

Degree of Disablement (1)	Scale of Pension (2)
per cent.	
100	55 per cent. of annual pay at the date of discharge.
90	50 per cent. of annual pay at the date of discharge.
80	44 per cent. of annual pay at the date of discharge.
70	39 per cent. of annual pay at the date of discharge.
60	33 per cent. of annual pay at the date of discharge.
50	28 per cent. of annual pay at the date of discharge.
40	22 per cent. of annual pay at the date of discharge.
30	17 per cent. of annual pay at the date of discharge.
20	11 per cent. of annual pay at the date of discharge.

"

(2) Subsection (1) of section 6 and subsection (1) of section 8 of the Increase Act of 1949 shall not apply in respect of an officer to whom subsection (1) of this section applies.

49.—(1) Where an award of a gratuity under section 12 of the Act of 1927 in respect of a wound is made or an award of a pension or gratuity under that section in respect of a wound is refused, such award or the refusal of such award (as the case may be) shall, save as is otherwise provided by this section, be final and incapable of reconsideration or review. Finality of award under section 12 of the Act of 1927.

(2) Any person to whom an award of a gratuity under section 12 of the Act of 1927 in respect of a wound is made on or after the date of the passing of this Act or any person to whom an award of a pension or gratuity under that section in respect of a wound is refused on or after the date of the passing of this Act solely on the ground that such person is not suffering from any disablement may, within five years from the date of such award or the refusal of such award (as the case may be), apply to the Minister to have the amount of such award or the refusal of such award (as the case may be) re-considered and thereupon the Minister, if he thinks

proper so to do, may refer the matter to the Army Pensions Board for re-consideration and may, on the report of the Army Pensions Board, grant to such person such pension or gratuity (if any) as could have been granted if such report had been made when the case was first investigated under the said section 12, subject to the limitation that any pension so granted shall not commence on a date earlier than the date which is found by the Army Pensions Board to be the date on which the disablement in respect of which such pension is granted first attained to twenty per cent.

(3) Any person to whom an award of a gratuity under section 12 of the Act of 1927 in respect of a wound received on or after the 3rd day of September, 1939, was made before the date of the passing of this Act or any person to whom an award of a pension or gratuity under that section in respect of a wound received on or after the 3rd day of September, 1939, was refused before the date of the passing of this Act solely on the ground that such person was not suffering from any disablement may, within twelve months after the date of the passing of this Act, apply to the Minister to have the amount of such award or the refusal of such award (as the case may be) reconsidered and thereupon the Minister, if he thinks proper so to do, may refer the matter to the Army Pensions Board and may, on the report of the Army Pensions Board, grant to such person such pension or gratuity (if any) as could have been granted if such report had been made when the case was first investigated under the said section 12 subject to the limitation that any pension so granted shall commence on such date (not being earlier than the date of the passing of this Act or the date on which the disability is found by the Army Pensions Board to have reached twenty per cent. whichever is the later) as the Minister may determine.

Time limit for making certain applications under sections 14 and 15 of the Act of 1927.

50.—Notwithstanding anything contained in the Acts, every application for an allowance or a gratuity under subsection (2) of section 14 of the Act of 1927 in respect of a person who died solely from disease attributable to service in the forces during the emergency period, and every application for an allowance or a gratuity under subsection (2) of section 15 of the said Act in respect of a person who died as a result of a wound received on or after the 3rd day of September, 1939, shall be made—

(*a*) in case the person in respect of whom the gratuity or allowance is claimed died before the date of the passing of this Act, not later than twelve months after the date of such passing;

(*b*) in case such person died on or after the date of the passing of this Act, not later than twelve months after the date of such person's death.

Amendment of section 20 of the Act of 1932.

51.—Subsection (3) of section 20 of the Act of 1932 is hereby amended by the deletion of " (except subsection (4) thereof)".

Power to grant further allowances under Part VII of the Act of 1937.

52.—(1) Where a person dies while in receipt of an allowance under Part VII of the Act of 1937, it shall be lawful for another dependent relative of the deceased person in respect of whom the allowance was payable to apply for and be granted an allowance under the said Part VII, provided the Minister and the Minister for Finance are satisfied that the statutory conditions for the grant of an allowance under the said Part VII are complied with.

(2) Every application for an allowance under Part VII of the Act of 1937, as amended by this section, shall be in such form and contain such particulars as the Minister may require, and shall be made—

(*a*) if the person who died while in receipt of an allowance died before the date of the passing of this Act, not later than twelve months after that date, and

(*b*) if such person died on or after the date of the passing of this Act, within twelve months after the date of the death of such person.

(3) Every allowance granted under Part VII of the Act of 1937 as amended by this section shall commence on such date (not being earlier than the date of the passing of this Act) as the Minister may determine.

Right of certain persons to re-apply under Part VII of the Act of 1937.

53.—(1) Notwithstanding subsection (2) of section 10 of the Act of 1941 it shall be lawful for the Minister, on application being made to him, to grant, to any person whose application for a dependant's allowance under Part VII of the Act of 1937 was refused solely on the ground that the applicant did not comply with the statutory condition regarding means, an allowance under the said Part VII provided the Minister and the Minister for Finance are satisfied that the statutory conditions for the grant of an allowance under the said Part VII are complied with.

(2) Every application for an allowance under Part VII of the Act of 1937 as amended by this Act shall be in such form and contain such particulars as the Minister may require and shall be made not later than twelve months after the date of the passing of this Act.

(3) Every allowance granted under Part VII of the Act of 1937 as amended by this Act shall commence on such date (not being earlier than the date of the passing of this Act) as the Minister may determine.

Amendment of section 40 of the Act of 1937.

54.—The reference in subsection (2) of section 40 of the Act of 1937 to fifteen shillings a week shall be construed as a reference to sixty pounds per annum.

Amendment of section 5 of the Act of 1946.

55.—Subsection (3) of section 5 of the Act of 1946 shall, as respects an officer who is discharged from the forces on or after the 2nd day of April, 1950, have effect as if, in paragraph (c), for the words " 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 " the following were substituted:

" on the day preceding the date of his discharge, in the case of an officer, a married officer within the meaning of the Defence Force Regulations governing the pay of officers in force on the said day or in the case of a soldier, was on the date of his discharge in receipt of marriage allowance as a married soldier, or ".

Restriction of section 6 of the Act of 1946.

56.—Section 6 of the Act of 1946 shall not apply in relation to an officer who is discharged from the forces on or after the 2nd day of April, 1950.

Declaration as to pension under section 12 of the Act of 1946.

57.—For the removal of doubt it is hereby declared that a pension granted under section 12 of the Act of 1946 shall be deemed for the purposes of sub-section (3) of section 47 of the Act of 1937, to be a pension under the Acts.

Validation of pension.

58.—In the case of a person who was, on the 27th day of January, 1943, granted, under section 10 of the Act of 1932, a gratuity in respect of a wound, and who applied to the Minister on the 10th day of March, 1948, to have the amount of the award reconsidered, the following provisions shall have effect:

(*a*) notwithstanding subsection (2) of section 18 of the Act of 1932, the pension granted to that person under the said section 10 shall be deemed to have been a valid grant of pension;

(*b*) where, after the passing of this Act, a pension under the said section 10 is payable to that person, such pension shall be payable from such date as the Minister may determine but such date shall not be earlier than the date of the passing of this Act.

Sections 14 (1); 15 (1); 19 (1); 21 (1); 23 (1).

FIRST SCHEDULE.

Increased rates of—

(*a*) wound pensions granted under section 1 of the Act of 1923 to officers discharged before the 1st day of October, 1924,

(*b*) wound pensions granted under section 3 of the Act of 1923 to persons ranking as officers,

(*c*) disability pensions granted under section 9 of the Act of 1927 to officers,

(*d*) wound pensions granted under section 11 of the Act of 1927 to officers,

(*e*) disability pensions granted under section 13 of the Act of 1927 to officers discharged before the 1st day of October, 1924,

(*f*) disability pensions granted under section 13 of the Act of 1927 to persons ranking as officers.

Ref. No. (1)	Existing rate of pension per annum (2)	Increased rate of pension per annum (3)
1	£240	£260
2	£228	£250
3	£216	£240
4	£204	£230
5	£192	£220
6	£172 10s.	£210
7	£161	£196
8	£149 10s.	£182
9	£138	£170
10	£126 10s.	£160
11	£115	£150
12	£99	£135
13	£88	£120
14	£77	£105
15	£66	£90
16	£55	£75
17	£44	£60

Sections 14 (3); 15 (2); 19 (2); 20 (3); 21 (2); 22 (3); 23 (3).

SECOND SCHEDULE.

Increased rates of—

(*a*) wound pensions granted under section 1 of the Act of 1923 to soldiers,

(*b*) wound pensions granted under section 3 of the Act of 1923 to persons ranking as soldiers,

(*c*) disability pensions granted under section 9 of the Act of 1927 to soldiers,

(*d*) disability pensions granted under section 10 of the Act of 1927 to soldiers in respect of disablement caused by disease attributable to service in the forces during the emergency period,

(*e*) wound pensions granted under section 11 of the Act of 1927 to soldiers,

(*f*) wound pensions granted under section 12 of the Act of 1927, to soldiers discharged from the forces before the 30th day of July, 1949, in respect of disablement caused by a wound attributable to service in the forces during the emergency period,

(*g*) disability pensions granted under section 13 of the Act of 1927 to soldiers discharged before the 1st day of October, 1924,

(*h*) disability pensions granted under section 13 of the Act of 1927 to persons ranking as soldiers.

Ref. No. (1)	Existing rate of pension per week (2)	Increased rate of pension per week (3)
	£ s. d.	£ s. d.
1	2 10 0	3 1 2
2	2 7 6	2 19 0
3	2 5 0	2 16 8
4	2 2 6	2 13 6
5	2 0 0	2 10 5
6	1 16 2	2 7 3
7	1 13 8	2 4 0
8	1 11 4	2 0 11
9	1 9 0	1 17 9
10	1 6 6	1 14 8
11	1 4 0	1 11 6
12	1 0 8	1 8 3
13	18 5	1 5 2
14	16 0	1 2 0
15	13 10	18 11
16	11 6	15 9
17	9 2	12 6

THIRD SCHEDULE.

Sections 20 (1) ; 22 (1).

INCREASED RATES OF PENSIONS GRANTED TO OFFICERS UNDER SECTIONS 10 AND 12 OF THE ACT OF 1927.

1. (1) The amount of a disability pension granted under subsection (1) of section 10 of the Act of 1927 to an officer discharged from the forces before the 2nd day of September, 1946, and at the date of his discharge suffering from a disablement caused by disease attributable to service in the forces during the April, 1922-September, 1924, period shall be whichever of the following amounts is the lesser—

(*a*) the amount of such disability pension which would be payable if the Increase Act of 1949 had not been passed, increased by the appropriate sum;

(*b*) the amount which would be payable under the Acts if the Increase Act of 1949 had not been passed and the officer had been discharged from the forces on the 2nd day of September, 1946, and his rank and service in that rank on that date were the same as those on the date of his actual discharge.

(2) The amount of a disability pension granted under subsection (1) of section 10 of the Act of 1927 to an officer discharged from the forces before the 2nd day of September, 1946, and at the date of his discharge suffering from a disablement caused by disease attributable to service in the forces during the emergency period shall be whichever of the following amounts is the lesser—

(*a*) the amount of such disability pension which would be payable if the Increase Act of 1949 had not been passed, increased by the appropriate sum;

(*b*) the amount which would be payable under the Acts if—

(i) the officer had been discharged from the forces on the 2nd day of September, 1946, and

(ii) his rank and service in that rank on that date were the same as those on the date of his actual discharge, and

(iii) the scale of pension applicable were that set out in the Table to this Schedule.

(3) The amount of a disability pension granted under subsection (1) of section 10 of the Act of 1927 to an officer discharged from the forces on or after the 2nd day of September, 1946, and before the 2nd day of April, 1950, shall be the amount which would be payable if the scale of pension applicable were that set out in the Table to this Schedule.

2. The amount of a wound pension granted under subsection (1) of section 12 of the Act of 1927 to an officer discharged from the forces before the 2nd day of September, 1946, shall be whichever of the following amounts is the lesser—

(*a*) the amount of such wound pension which would be payable if the Increase Act of 1949 had not been passed, increased by the appropriate sum;

(*b*) the amount which would be payable if—

(i) the officer had been discharged from the forces on the 2nd day of September, 1946, and

(ii) his rank and service in that rank on that date were the same as those on the date of his actual discharge, and

(iii) the scale of pension applicable were that set out in the Table to this Schedule.

TABLE TO THIRD SCHEDULE.

Degree of Disablement	Scale of Pension
100	60% of annual pay at the date of discharge, or the sum of £170 per annum, whichever is the greater.
90	54% of annual pay at the date of discharge, or the sum of £158 per annum, whichever is the greater.
80	48% of annual pay at the date of discharge, or the sum of £144 per annum, whichever is the greater.
70	42% of annual pay at the date of discharge, or the sum of £126 per annum, whichever is the greater.
60	36% of annual pay at the date of discharge, or the sum of £108 per annum, whichever is the greater.
50	30% of annual pay at the date of discharge, or the sum of £90 per annum, whichever is the greater.
40	24% of annual pay at the date of discharge, or the sum of £72 per annum, whichever is the greater.
30	18% of annual pay at the date of discharge, or the sum of £54 per annum, whichever is the greater.
20	12% of annual pay at the date of discharge, or the sum of £36 per annum, whichever is the greater.

Sections 20 (2); 22 (2); 23 (4).

FOURTH SCHEDULE.

Revised scale of pensions granted—

(*a*) under section 10 of the Act of 1927 to soldiers suffering from disablement caused by disease attributable to service during the April, 1922-September, 1924, period,

(*b*) under section 12 of the Act of 1927 to soldiers discharged before the 30th day of July, 1949, suffering from disablement caused by wound attributable to service (other than service during the emergency period),

(*c*) under section 13 of the Act of 1927 to soldiers discharged on or after the 1st day of October, 1924.

FOURTH SCHEDULE.

Rank at Discharge from Forces	Group	Rates of Pension per week according to degree of Disablement																
		100%	95%	90%	85%	80%	75%	70%	65%	60%	55%	50%	45%	40%	35%	30%	25%	20%
		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Private	I	39 0	37 1	35 2	33 2	31 3	29 3	27 3	25 4	23 5	21 5	19 6	17 7	15 8	13 8	11 9	9 9	7 9
Corporal	II	45 0	42 9	40 6	38 3	36 0	33 9	31 6	29 3	27 0	24 9	22 6	20 3	18 0	15 9	13 6	11 3	9 0
Sergeant, Co. Q.M. Sergeant ...	III	51 0	48 5	45 11	43 4	40 9	38 3	35 9	33 2	30 8	28 1	25 6	22 11	20 5	17 10	15 3	12 9	10 3
Co. Sergeant Batt. Q.M.S.	IV	57 0	54 2	51 3	48 5	45 8	42 9	39 11	37 1	34 3	31 5	28 6	25 8	22 9	19 11	17 2	14 3	11 5
Sergeant Major ...	V	61 2	59 0	56 8	53 6	50 5	47 2	44 0	40 11	37 9	34 8	31 6	28 4	25 2	22 0	18 11	15 8	12 6

FIFTH SCHEDULE.

Section 28.

INCREASE OF WOUND AND DISABILITY PENSIONS GRANTED UNDER SECTION 10 OF THE ACT OF 1932.

Ref. No. (1)	Existing Rate of Pension per Annum (2)	Existing Rate of Married Pension per Week (3)	Increased Rate of Pension per Annum (4)	Increased Rate of Married Pension per Week (5)
1.	£180 0 0	11/3d.	£210 0 0	14/1d.
2.	£171 0 0	10/7d.	£199 10 0	13/3d.
3.	£162 0 0	10/–	£189 0 0	12/6d.
4.	£153 0 0	9/6d.	£178 10 0	11/11d.
5.	£144 0 0	9/0d.	£170 0 0	11/3d.
6.	£129 7 6	8/4d.	£162 10 0	10/5d.
7.	£120 15 0	7/9d.	£155 0 0	9/8d.
8.	£112 2 6	7/3d.	£146 5 0	9/1d.
9.	£103 10 0	6/9d.	£135 0 0	8/5d.
10.	£94 17 6	6/1d.	£123 15 0	7/7d.
11.	£86 5 0	5/6d.	£112 10 0	6/11d.
12.	£74 5 0	5/–	£101 5 0	6/3d.
13.	£66 0 0	4/6d.	£90 0 0	5/8d.
14.	£57 15 0	3/10d.	£78 15 0	4/10d.
15.	£49 10 0	3/3d.	£67 10 0	4/1d.
16.	£41 5 0	2/9d.	£56 5 0	3/5d.
17.	£33 0 0	2/3d.	£45 0 0	2/10d.

SIXTH SCHEDULE.

Section 31.

REVISED RATES OF PENSIONS UNDER PART VI OF THE ACT OF 1937.

Degree of Disablement (1)	Pension (2)
per cent.	per annum
100	£150
90	£135
80	£120
70	£105
60	£90
50	£75
40	£60
30	£45
20	£30

AN BILLE ARM-PHINSEAN, 1953.

BILLE

dá ngairmtear

Acht do leasú agus do leathnú na nAcht Arm-Phinsean, 1923 go 1949.

An tAire Cosanta a thug isteach.

Rite ag Dáil Éireann, 28*ú Iúil,* 1953.

BAILE ATHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

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ARMY PENSIONS BILL, 1953.

BILL

entitled

An Act to amend and extend the Army Pensions Acts, 1923 to 1949.

Introduced by the Minister for Defence.

Passed by Dáil Éireann, 28*th July,* 1953.

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