



AN BILLE ARM-PHINSEAN, 1960.
ARMY PENSIONS BILL, 1960.

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

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AN BILLE ARM-PHINSEAN, 1960.
ARMY PENSIONS BILL, 1960.

BILL

entitled

AN ACT TO AMEND AND EXTEND THE ARMY PENSIONS ACTS, 1923 TO 1959.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :—

Interpretation.	1.—(1) In this Act—	
1923, No. 26.	“ the Act of 1923 ” means the Army Pensions Act, 1923 ;	
1927, No. 12.	“ the Act of 1927 ” means the Army Pensions Act, 1927 ;	10
1932, No. 24.	“ the Act of 1932 ” means the Army Pensions Act, 1932 ;	
1937, No. 15.	“ the Act of 1937 ” means the Army Pensions Act, 1937 ;	
1941, No. 2.	“ the Act of 1941 ” means the Army Pensions Act, 1941 ;	
1943, No. 14.	“ the Act of 1943 ” means the Army Pensions Act, 1943 ;	
1946, No. 3.	“ the Act of 1946 ” means the Army Pensions Act, 1946 ;	15
1949, No. 19.	“ the Act of 1949 ” means the Army Pensions Act, 1949 ;	
1953, No. 23.	“ the Act of 1953 ” means the Army Pensions Act, 1953 ;	
1957, No. 19.	“ the Act of 1957 ” means the Army Pensions Act, 1957 ;	
1959, No. 15.	“ the Act of 1959 ” means the Army Pensions Act, 1959 ;	
	“ the Acts ” means the Army Pensions Acts, 1923 to 1959, but does not include this Act ;	20
	“ the April, 1922-September, 1924, period ” means the period which commenced on the 1st day of April, 1922, and ended on the 30th day of September, 1924.	
	(2) This Act shall be construed as one with the Acts.	25
	(3) References in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment.	
Increase of wound pensions under section 1 of the Act of 1923.	2.—(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 <i>column</i> (2) of the <i>First Schedule</i> to this Act at a particular reference number shall be payable at the increased rate mentioned in <i>column</i> (3) of that Schedule at that reference number.	30
	(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, and before the 2nd day of April, 1950, shall, in lieu of being an amount calculated in accord-	35

ance with subsection (2) of section 4 of the Act of 1957, be whichever of the following amounts is the lesser—

(a) the amount specified in paragraph (a) of subsection (2) of section 4 of the Act of 1957, increased by—

5 (i) in case such officer was discharged from the forces before the 1st day of September, 1949—six per cent., or

10 (ii) in case such officer was discharged from the forces on or after the 1st day of September, 1949—four per cent.,

15 (b) the amount which would be payable to such officer under the Acts if he had been discharged from the forces on the 2nd day of November, 1952, and his rank and service in that rank on that date were the same as those on the date of his actual discharge and the scale of pension applicable to him were the appropriate scale contained in the Tables to subsection (2) of section 4 of the Act of 1957.

20 (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 that Schedule at that reference number.

25 3.—(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 that Schedule at that reference number.

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

30 (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 that Schedule at that reference number.

4.—The amount of a further pension granted under section 2 or 3 of the Act of 1923 shall be the amount payable under the Acts in respect of such further pension increased by six per cent.

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

40 5.—The *Second Schedule* (which specifies allowances for dependants of certain deceased officers) to the Act of 1923 is hereby amended in the following respects—

Amendment of *Second Schedule* to the Act of 1923.

(a) in paragraph 1, “£160” shall be substituted for “£151” (inserted by subsection (1) of section 6 of the Act of 1957),

45 (b) in paragraph 2 and in paragraph 3, “£44” and “£73” shall be substituted for “£41 10s.” and “£69” (inserted by subsection (1) of section 6 of the Act of 1957) respectively, and

50 (c) in paragraph 5, “£1 16s. 6d.” shall be substituted for “£1 14s. 6d.” (inserted by subsection (1) of section 6 of the Act of 1957).

6.—The *Third Schedule* (which specifies allowances for dependants of certain deceased soldiers) to the Act of 1923 is hereby amended in the following respects—

Amendment of *Third Schedule* to the Act of 1923.

55 (a) in paragraph 1, “£1 12s. 0d.” shall be substituted for “£1 10s. 3d.” (inserted by section 7 of the Act of 1957),

(b) in paragraph 2, "9s. 3d.", "6s. 3d." and "15s. 9d." shall be substituted for "8s. 9d.", "6s." and "14s. 9d." (inserted by section 7 of the Act of 1957) respectively, and

(c) in paragraph 4, "£1 7s. 6d." shall be substituted for "£1 6s." (inserted by section 7 of the Act of 1957).

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

7.—(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 that Schedule at that reference number. 10

(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 that Schedule at that reference number. 15

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

8.—(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. 20

(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 Act of 1957 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. 25 30

(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 a particular reference number shall be payable at the increased rate mentioned in *column (3)* of that Schedule at that reference number. 35 40

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

9.—(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 that Schedule at that reference number. 45

(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 at a particular reference number shall be payable at the increased rate mentioned in *column (3)* of that Schedule at that reference number. 50

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

10.—(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 April, 1950, shall be determined in accordance with the provisions set out in the *Third Schedule* to this Act. 55

(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 Act of 1957 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 at the date of his discharge was 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 a particular reference number shall be payable at the increased rate mentioned in column (3) of that Schedule at that reference number.

(4) The First Schedule to the Act of 1949 (which specifies the amount of a wound pension payable under section 12 of the Act of 1927 to persons discharged from the forces on or after the 30th day of July, 1949) is hereby amended by the substitution for Part II (inserted by subsection (5) of section 11 of the Act of 1957) of the following:

“ PART II.

Wound Pensions—Soldiers.

Degree of Disablement	Rate of Pension per week
per cent.	£ s. d.
100	3 12 0
90	3 7 3
80	3 0 0
70	2 12 9
60	2 6 0
50	1 18 6
40	1 10 9
30	1 3 0
20	15 3

11.—(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 that Schedule at that reference number.

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

(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, and before the 2nd day of April, 1950, shall, in lieu of being an amount calculated in accordance with subsection (2) of section 12 of the Act of 1957, be whichever of the following is the lesser—

(a) the amount specified in paragraph (a) of subsection (2) of section 12 of the Act of 1957, increased by—

(i) in case such officer was discharged from the forces before the 1st day of September, 1949—six per cent., or

(ii) in case such officer was discharged from the forces on or after the 1st day of September, 1949—four per cent.,

(b) the amount which would be payable to such officer under the Acts if he had been discharged from the forces on the 2nd day of November, 1952, and his rank and service in that rank on that date were the same as those on the date of his actual discharge and the scale of pension applicable to him were the appropriate scale contained in the Tables to subsection (2) of section 4 of the Act of 1957. 5

(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 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 that Schedule at that reference number. 10 15

(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 Act of 1957 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. 20

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

12.—The amount of a married pension granted under section 9, 10, 11, 12 or 13 of the Act of 1927 or under section 5 of the Act of 1946 shall be the amount payable under the Acts in respect of such married pension increased by six per cent. 25

Amendment of Sixth Schedule to the Act of 1927.

13.—The Sixth Schedule (which specifies allowances to dependants of certain deceased members of the forces) to the Act of 1927 is hereby amended in the following respects— 30

- (a) in paragraph 1 of Part I, “£160” shall be substituted for “£151” (inserted by section 13 of the Act of 1957),
- (b) in paragraphs 2 and 3 of Part I, “£44” and “£73” shall be substituted for “£41 10s.” and “£69” (inserted by section 13 of the Act of 1957), respectively, 35
- (c) in paragraph 1 of Part II, “£1 12s.” shall be substituted for “£1 10s. 3d.” (inserted by section 13 of the Act of 1957), and
- (d) in paragraph 2 of Part II, “9s. 3d.”, “6s. 3d.” and “15s. 9d.” shall be substituted for “8s. 9d.”, “6s.” and “14s. 9d.” (inserted by section 13 of the Act of 1957) respectively. 40

Amendment of Seventh Schedule to the Act of 1927.

14.—(1) The following Parts shall be substituted for Part I and Part II (inserted by subsection (1) of section 14 of the Act of 1957) of the *Seventh Schedule* to the Act of 1927 (which specifies allowances to dependants of certain deceased members of the Forces): 45

“ALLOWANCES TO DEPENDANTS.

PART I.

Officers.

- | | |
|---|---------------------------------------|
| 1. Widow of second lieutenant, lieutenant or captain. | £109 10s. per annum during widowhood. |
| Widow of major, lieutenant-colonel or commandant. | £160 per annum during widowhood. |
| Widow of colonel or officer of higher rank. | £199 10s. per annum during widowhood. |

2. Widow of officer (any rank). £188 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, £33 per annum for each child.
 - (b) after death of mother, £61 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 in paragraph 3.

PART II.

Soldiers.

1. Widow 22s. 9d. per week during widowhood.
2. Widow " Gratuity of £86 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, 8s. 6d. per week for each child.
 - (b) after death of mother, 17s. 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 in paragraph 3."

(2) The reference in section 25 of the Act of 1953 to paragraphs 1 and 3 of Part I and paragraphs 1 and 3 of Part II of the Seventh Schedule to the Act of 1927 shall be deemed to be a reference to paragraphs 1 and 3 of Part I and paragraphs 1 and 3 of Part II of the Seventh Schedule to the Act of 1927 as amended by subsection (1) of this section.

(3) Part III of the Seventh Schedule to the Act of 1927 (inserted by subsection (5) of section 5 of the Act of 1943) shall be construed as if "£95 10s." were substituted in paragraph 6 for "£90" (inserted by subsection (3) of section 14 of the Act of 1957).

(4) Part IV of the Seventh Schedule to the Act of 1927 (inserted by subsection (5) of section 5 of the Act of 1943) shall be construed as if "£47 10s." were substituted in paragraph 6 for "£45" (inserted by subsection (4) of section 14 of the Act of 1957).

15 15.—(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 that
20 Schedule at that reference number.

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

(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 that Schedule at that reference number. 5

Amendment of Second Schedule to the Act of 1932.

16.—The Second Schedule (which specifies allowances and gratuities to certain classes of persons) to the Act of 1932 is hereby amended in the following respects—

- (a) in paragraph 1 of Part I, “£123” shall be substituted for “£116” (inserted by section 16 of the Act of 1957), 10
- (b) in paragraphs 2 and 3 of Part I, “£33” and “£55” shall be substituted for “£31” and “£52” (inserted by section 16 of the Act of 1957) respectively, and
- (c) in paragraph 5 of Part II, “27s. 6d.” shall be substituted for “26s.” (inserted by section 16 of the Act of 1957). 15

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

17.—Subsection (1) of section 3 of the Act of 1937 is hereby amended by the substitution in paragraph (a) (which relates to the allowance payable to the widow (if any) of a Signatory of the Proclamation published on Easter Monday, 1916) of “five hundred and sixty one pounds and sixteen shillings” for “five hundred pounds”. 20

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

18.—(1) Every final pension under section 26 of the Act of 1937 which is payable at the rate of one pound and six shillings per week shall be payable at the rate of one pound seven shillings and sixpence per week. 25

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

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

19.—Section 28 and section 29 of the Act of 1937 (which provide for pensions to former members of the forces and members of certain organisations in respect of wounds or disease aggravated by service) shall have effect as if, for the Schedule to that Act, there were substituted the *Sixth Schedule* to this Act. 30

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

20.—In subsection (2) and in paragraph (d) of subsection (3) of section 37 of the Act of 1937 (which provides for allowances to certain relatives of deceased members of certain organisations) “seventy three pounds” shall be substituted for “sixty nine pounds” (inserted by section 20 of the Act of 1957). 35

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

21.—(1) Every final pension under section 6 of the Act of 1941 which is payable at the rate of one pound and six shillings per week shall be payable at the rate of one pound seven shillings and sixpence per week. 40

(2) Every final pension under section 6 of the Act of 1941 which is payable at the rate of one pound fourteen shillings and sixpence per week shall be payable at the rate of one pound sixteen shillings and sixpence per week. 45

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

22.—There shall be substituted for the Schedule (inserted by section 22 of the Act of 1957) to section 4 of the Act of 1943 (which extends certain provisions of the Act of 1927 to members of the Army Nursing Service), the following— 50

" SCHEDULE.

SCALE OF DISABILITY PENSIONS AND WOUND PENSIONS FOR
MEMBERS OF THE ARMY NURSING SERVICE.

Degree of Disablement	Scale of Pension
	£ s. d.
100 per cent.	188 10 0 per annum
90 " "	176 10 0 " "
80 " "	157 0 0 " "
70 " "	138 10 0 " "
60 " "	121 0 0 " "
50 " "	100 10 0 " "
40 " "	80 10 0 " "
30 " "	60 10 0 " "
20 " "	40 10 0 " "

23.—(1) Every final pension under section 6 of the Act of 1943 which is payable at the rate of one pound and six shillings per week shall be payable at the rate of one pound seven shillings and sixpence per week. Increase of pensions under section 6 of the Act of 1943.

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

24.—Section 12 of the Act of 1946 (which provides for pensions in respect of tuberculosis aggravated by service during the emergency period) shall have effect as if for the Second Schedule (inserted by section 24 of the Act of 1957) to the Act of 1946 there were substituted the following— Increase of pensions under section 12 of the Act of 1946.

" SECOND SCHEDULE.

RATES OF PENSIONS UNDER SECTION 12 OF THIS ACT.

Degree of Disablement (1)	Pensions (2)
100 per cent.	£178 per annum
90 " "	£160 " "
80 " "	£143 " "

25.—The preceding provisions of this Act shall be deemed to have come into operation on the 1st day of August, 1959, and the increase in pensions (including further and married pensions) and allowances provided by those provisions shall have effect from that date. Commencement.

26.—(1) Notwithstanding anything contained in section 8 or 9 of the Second Schedule to the Act of 1923 or in section 7 or 8 of the Third Schedule to the Act of 1923, an allowance may be granted under section 2 of the Act of 1946 to the widow or child of a deceased person to whom the said section 2 applies whether such widow or child was or was not wholly or partially dependent on such deceased person at the date of his death. Amendment of section 2 of the Act of 1946.

(2) Where an allowance is granted by virtue of subsection (1) of this section to the widow or child of a deceased person—

(a) the allowance shall commence on such date (not earlier than the 21st day of July, 1959) as the Minister may determine, 35

(b) subsection (2) of section 2 of the Act of 1946 shall not apply in relation to the commencement of the allowance.

(3) Notwithstanding anything contained in the Acts, an application for the grant of an allowance which may be granted by virtue of *subsection (1)* of this section may be made not later than the 20th day of July, 1960.

(4) Section 7 of the Act of 1959 (which restricts the grant of an allowance or gratuity to the widow or child of a deceased person to whom section 2 of the Act of 1946 applies) shall not be construed as affecting the operation of *subsection (3)* of section 40 of the Act of 1953.

(5) The preceding subsections of this section shall be deemed to have come into operation on and shall have effect on and from the 21st day of July, 1959.

Amendment of section 6 of the Act of 1953.

27.—Notwithstanding anything contained in *subsection (1)* of section 6 of the Act of 1953, as amended by section 9 of the Army Pensions Act, 1959 (No. 15 of 1959), an application made pursuant to *subsection (2)* of section 5 of the Act of 1953 may be made not later than twelve months after the 21st day of July, 1959.

Cesser of application of section 37 of the Act of 1953.

28.—(1) Section 37 of the Act of 1953 shall not apply and shall be deemed never to have applied in respect of a person discharged from the forces on or after the 1st day of January, 1953.

(2) *Subsection (1)* of this section shall not operate to increase a disablement pension (within the meaning of section 37 of the Act of 1953) for the period which commenced on the 1st day of January, 1953, and ended on the 31st day of July, 1959.

Amendment of the Acts in relation to married pensions.

29.—(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 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 on or after the 10th day of December, 1932, and before the 5th day of August, 1953, and accordingly, the appropriate further pension or married pension shall, on application being made to the Minister, be payable under the Acts, from such date (not earlier than the date of the passing of this Act) as the Minister may determine, to such person provided he was, on such date, a married man for the purposes of the Acts.

(3) 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 5th day of August, 1953, and whose wife died and who re-married before that date.

(4) *Subsection (1)* and *subsection (2)* of section 12 of the Act of 1959 shall not be construed as affecting the operation of *subsection (2)* of this section.

(5) 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.

Amendment of the Acts in relation to widows' allowances.

30.—(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,
- 5 (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),
- 10 (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.
- 15 (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
- 20 (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
- 25 (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 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 on or after the 10th day of December, 1932, and before the 5th day of August, 1953, and accordingly, the appropriate widow's allowance and children's allowances shall, on application being made to the 30 Minister, be payable under the Acts, from such date (not earlier than the date of the passing of this Act) as the Minister may determine to such widow (provided she had not remarried on or before such date) 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 his marriage took place on or after the 45 10th day of December, 1932, and before the 5th day of August, 1953, 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 grant to the widow (provided she has not remarried) and children of such person the 50 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.
- 55 (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.
- 60 (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 65

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 5 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 15 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 20 the relevant provisions of the Acts, to apply for and be granted such allowance under the Acts as amended by this Act.

(6) Subsections (1), (2) and (3) of section 5 and section 7 of the Act of 1959 shall not be construed as affecting the operation of 25 *subsection (3)* of this section.

(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 30 Minister may require.

Short title and collective citation.

31.—(1) This Act may be cited as the Army Pensions Act, 1960.

(2) The Army Pensions Acts, 1923 to 1959, and this Act may be cited together as the Army Pensions Acts, 1923 to 1960.

FIRST SCHEDULE.

Increased rates of—

- (a) wound pensions granted under section 1 of the Act of 1923 to officers discharged before the 1st October, 1924;
- (b) wound pensions granted under section 3 of the Act of 1923 to persons ranking as officers; 40
- (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 October, 1924; 45
- (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)		
	£	s.	d.	£	s.	d.
1	283	10	0	300	10	0
2	272	10	0	289	0	0
3	261	10	0	277	0	0
4	250	10	0	265	10	0
5	240	0	0	254	10	0
6	229	0	0	242	10	0
7	214	0	0	227	0	0
8	200	0	0	212	0	0
9	188	0	0	199	10	0
10	178	0	0	188	10	0
11	168	0	0	178	0	0
12	151	0	0	160	0	0
13	135	0	0	143	0	0
14	120	0	0	127	0	0
15	103	10	0	109	10	0
16	86	10	0	91	10	0
17	69	0	0	73	0	0

SECOND SCHEDULE.

Increased rates of—

- (a) wound pensions granted under section 1 of the Act of 1923 to soldiers;
- 5 (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;
- 10 (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;
- 15 (f) wound pensions granted under section 12 of the Act of 1927 to soldiers discharged from the forces before the 30th July, 1949, in respect of disablement caused by a wound attributable to service in the forces during the emergency period;
- 20 (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	3 8 0	3 12 0
2	3 6 0	3 10 0
3	3 3 6	3 7 3
4	3 0 0	3 3 6
5	2 16 6	3 0 0
6	2 13 0	2 16 3
7	2 9 9	2 12 9
8	2 6 9	2 9 6
9	2 3 6	2 6 0
10	1 19 9	2 2 3
11	1 16 3	1 18 6
12	1 12 6	1 14 6
13	1 9 0	1 10 9
14	1 5 3	1 6 9
15	1 1 9	1 3 0
16	18 0	19 0
17	14 6	15 3

25

THIRD SCHEDULE.

Sections 8 (1)
and 10 (1).

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

1. (1) The amount of a disability pension granted under sub-section (1) of section 10 of the Act of 1927 to an officer discharged
30 from the forces before the 2nd day of April, 1950, 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, in lieu of being an amount calculated in accordance with subparagraph (1) of paragraph 1 of the Third
35 Schedule to the Act of 1957, be whichever of the following amounts is the lesser—

- (a) the amount of such disability pension payable under the Acts, increased by—
- 40 (i) in case such officer was discharged from the forces before the 1st day of September, 1949,—six per cent., or

(ii) in case such officer was discharged from the forces on or after the 1st day of September, 1949,—four per cent.,

(b) the amount which would be payable to such officer under the Acts if he had been discharged from the forces on the 2nd day of November, 1952, and his rank and service in that rank on that date were the same as those on the date of his actual discharge and the scale of pension applicable to him were the appropriate scale contained in the Tables to subsection (2) of section 4 of the Act of 1957.

(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 April, 1950, 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, in lieu of being an amount calculated in accordance with sub-paragraph (2) of paragraph 1 of the Third Schedule to the Act of 1957, be whichever of the following amounts is the lesser—

(a) the amount of such disability pension payable under the Acts, increased by—

(i) in case such officer was discharged from the forces before the 1st day of September, 1949,—six per cent., or

(ii) in case such officer was discharged from the forces on or after the 1st day of September, 1949—four per cent.,

(b) the amount which would be payable to such officer under the Acts if he had been discharged from the forces on the 2nd day of November, 1952, and his rank and service in that rank on that date were the same as those on the date of his actual discharge and the scale of pension applicable to him were the appropriate scale contained in the Tables to subsection (2) of section 4 of the Act of 1957.

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 April, 1950, shall, in lieu of being the existing amount, be whichever of the following amounts is the lesser—

(a) the amount of such wound pension payable under the Acts, increased by—

(i) in case such officer was discharged from the forces before the 1st day of September, 1949,—six per cent., or

(ii) in case such officer was discharged from the forces on or after the 1st day of September, 1949,—four per cent.,

(b) the amount which would be payable to such officer under the Acts if he had been discharged from the forces on the 2nd day of November, 1952, and his rank and service in that rank on that date were the same as those on the date of his actual discharge and the scale of pension applicable to him were the appropriate scale contained in the Tables to subsection (2) of section 4 of the Act of 1957.

FOURTH SCHEDULE.

Revised rates 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.

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%	
Private	I	s. d. 47 6	s. d. 45 3	s. d. 43 0	s. d. 40 6	s. d. 38 3	s. d. 35 9	s. d. 33 3	s. d. 31 0	s. d. 28 6	s. d. 26 3	s. d. 23 9	s. d. 21 6	s. d. 19 0	s. d. 16 9	s. d. 14 3	s. d. 12 0	s. d. 9 6	
Corporal	II	s. d. 53 9	s. d. 51 6	s. d. 49 0	s. d. 46 9	s. d. 44 0	s. d. 41 0	s. d. 38 6	s. d. 35 9	s. d. 32 9	s. d. 30 3	s. d. 27 6	s. d. 24 9	s. d. 22 0	s. d. 19 0	s. d. 16 6	s. d. 13 9	s. d. 10 9	
Sergeant Co. Q.M. Sergeant.	III	s. d. 60 6	s. d. 57 6	s. d. 54 9	s. d. 52 0	s. d. 49 3	s. d. 46 9	s. d. 43 6	s. d. 40 6	s. d. 37 3	s. d. 34 3	s. d. 31 0	s. d. 27 9	s. d. 25 0	s. d. 21 9	s. d. 18 6	s. d. 15 9	s. d. 12 6	
Co. Sergeant Batt. Q.M.S.	IV	s. d. 67 6	s. d. 64 6	s. d. 61 0	s. d. 57 6	s. d. 54 6	s. d. 51 6	s. d. 48 6	s. d. 45 3	s. d. 41 9	s. d. 38 6	s. d. 34 9	s. d. 31 3	s. d. 27 9	s. d. 24 6	s. d. 21 0	s. d. 17 6	s. d. 14 0	
Sergeant Major	V	s. d. 72 0	s. d. 70 0	s. d. 67 3	s. d. 63 6	s. d. 60 0	s. d. 56 3	s. d. 52 9	s. d. 49 6	s. d. 46 0	s. d. 42 3	s. d. 38 6	s. d. 34 6	s. d. 30 9	s. d. 26 9	s. d. 23 0	s. d. 19 0	s. d. 15 3	

FIFTH SCHEDULE.

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

Ref. No.	Existing rate of pension per annum	Existing rate of married pension per week	Increased rate of pension per annum	Increased rate of married pension per week
(1)	(2)	(3)	(4)	(5)
	£ s. d.	s. d.	£ s. d.	s. d.
1	229 0 0	15 3	242 10 0	16 3
2	217 10 0	14 3	230 10 0	15 0
3	207 0 0	13 6	219 10 0	14 3
4	196 10 0	12 9	208 10 0	13 6
5	188 0 0	12 0	199 10 0	12 9
6	180 10 0	11 3	191 10 0	12 0
7	173 0 0	10 6	183 10 0	11 3
8	164 0 0	9 9	174 0 0	10 3
9	151 0 0	9 0	160 0 0	9 6
10	139 0 0	8 3	147 10 0	8 9
11	127 10 0	7 6	135 0 0	8 0
12	116 10 0	6 9	123 10 0	7 3
13	103 10 0	6 0	109 10 0	6 3
14	90 10 0	5 3	96 0 0	5 6
15	77 10 0	4 6	82 0 0	4 9
16	64 10 0	3 9	68 10 0	4 0
17	52 0 0	3 0	55 0 0	3 3

SIXTH SCHEDULE.

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

Degree of Disablement (1)	Pension (2)
per cent.	per annum
100	£178
90	£160
80	£143
70	£127
60	£109 10s.
50	£91 10s.
40	£73
30	£55
20	£36 10s.

BILL

BILLE

AN ACT TO AMEND AND EXTEND THE ACTS RELATIVE TO THE PENSION OF VETERANS OF THE ARMY OF THE UNITED STATES.

Enacted by the Senate and House of Representatives of the United States of America in Congress assembled, February 22, 1900.

SECTION 1. That the Act approved August 1, 1890, and the Act approved August 1, 1891, and the Act approved August 1, 1892, and the Act approved August 1, 1893, and the Act approved August 1, 1894, and the Act approved August 1, 1895, and the Act approved August 1, 1896, and the Act approved August 1, 1897, and the Act approved August 1, 1898, and the Act approved August 1, 1899, be, and the same are hereby, amended in the following manner:

SECTION 2. That the Act approved August 1, 1890, be amended so that the words "and the Act approved August 1, 1891, and the Act approved August 1, 1892, and the Act approved August 1, 1893, and the Act approved August 1, 1894, and the Act approved August 1, 1895, and the Act approved August 1, 1896, and the Act approved August 1, 1897, and the Act approved August 1, 1898, and the Act approved August 1, 1899," shall be inserted after the words "and the Act approved August 1, 1890," in the first section of said Act.

SECTION 3. That the Act approved August 1, 1891, be amended so that the words "and the Act approved August 1, 1890, and the Act approved August 1, 1892, and the Act approved August 1, 1893, and the Act approved August 1, 1894, and the Act approved August 1, 1895, and the Act approved August 1, 1896, and the Act approved August 1, 1897, and the Act approved August 1, 1898, and the Act approved August 1, 1899," shall be inserted after the words "and the Act approved August 1, 1891," in the first section of said Act.

SECTION 4. That the Act approved August 1, 1892, be amended so that the words "and the Act approved August 1, 1890, and the Act approved August 1, 1891, and the Act approved August 1, 1893, and the Act approved August 1, 1894, and the Act approved August 1, 1895, and the Act approved August 1, 1896, and the Act approved August 1, 1897, and the Act approved August 1, 1898, and the Act approved August 1, 1899," shall be inserted after the words "and the Act approved August 1, 1892," in the first section of said Act.

SECTION 5. That the Act approved August 1, 1893, be amended so that the words "and the Act approved August 1, 1890, and the Act approved August 1, 1891, and the Act approved August 1, 1892, and the Act approved August 1, 1894, and the Act approved August 1, 1895, and the Act approved August 1, 1896, and the Act approved August 1, 1897, and the Act approved August 1, 1898, and the Act approved August 1, 1899," shall be inserted after the words "and the Act approved August 1, 1893," in the first section of said Act.

SECTION 6. That the Act approved August 1, 1894, be amended so that the words "and the Act approved August 1, 1890, and the Act approved August 1, 1891, and the Act approved August 1, 1892, and the Act approved August 1, 1893, and the Act approved August 1, 1895, and the Act approved August 1, 1896, and the Act approved August 1, 1897, and the Act approved August 1, 1898, and the Act approved August 1, 1899," shall be inserted after the words "and the Act approved August 1, 1894," in the first section of said Act.

SECTION 7. That the Act approved August 1, 1895, be amended so that the words "and the Act approved August 1, 1890, and the Act approved August 1, 1891, and the Act approved August 1, 1892, and the Act approved August 1, 1893, and the Act approved August 1, 1894, and the Act approved August 1, 1896, and the Act approved August 1, 1897, and the Act approved August 1, 1898, and the Act approved August 1, 1899," shall be inserted after the words "and the Act approved August 1, 1895," in the first section of said Act.

SECTION 8. That the Act approved August 1, 1896, be amended so that the words "and the Act approved August 1, 1890, and the Act approved August 1, 1891, and the Act approved August 1, 1892, and the Act approved August 1, 1893, and the Act approved August 1, 1894, and the Act approved August 1, 1895, and the Act approved August 1, 1897, and the Act approved August 1, 1898, and the Act approved August 1, 1899," shall be inserted after the words "and the Act approved August 1, 1896," in the first section of said Act.

SECTION 9. That the Act approved August 1, 1897, be amended so that the words "and the Act approved August 1, 1890, and the Act approved August 1, 1891, and the Act approved August 1, 1892, and the Act approved August 1, 1893, and the Act approved August 1, 1894, and the Act approved August 1, 1895, and the Act approved August 1, 1896, and the Act approved August 1, 1898, and the Act approved August 1, 1899," shall be inserted after the words "and the Act approved August 1, 1897," in the first section of said Act.

SECTION 10. That the Act approved August 1, 1898, be amended so that the words "and the Act approved August 1, 1890, and the Act approved August 1, 1891, and the Act approved August 1, 1892, and the Act approved August 1, 1893, and the Act approved August 1, 1894, and the Act approved August 1, 1895, and the Act approved August 1, 1896, and the Act approved August 1, 1897, and the Act approved August 1, 1899," shall be inserted after the words "and the Act approved August 1, 1898," in the first section of said Act.

SECTION 11. That the Act approved August 1, 1899, be amended so that the words "and the Act approved August 1, 1890, and the Act approved August 1, 1891, and the Act approved August 1, 1892, and the Act approved August 1, 1893, and the Act approved August 1, 1894, and the Act approved August 1, 1895, and the Act approved August 1, 1896, and the Act approved August 1, 1897, and the Act approved August 1, 1898," shall be inserted after the words "and the Act approved August 1, 1899," in the first section of said Act.

APPROVED: FEBRUARY 22, 1900.

WILLIAM MAcKAY, SECRETARY OF THE SENATE.

FRANK B. ROWLAND, CLERK OF THE SENATE.

WILLIAM MAcKAY, SECRETARY OF THE HOUSE OF REPRESENTATIVES.

FRANK B. ROWLAND, CLERK OF THE HOUSE OF REPRESENTATIVES.

BILLE

dá ngairtear

Acht do leasú agus do leathnú na nAchtanna
Arm-Phinsean, 1923 go 1959.

An tAire Cosanta a thug isteach.

Rite ag Dáil Éireann, 24 Feabhra, 1960.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR.

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Wt. C23649/G/2—625. 2/60. C.&Co. (4081). G.16.

BILL

entitled

An Act to amend and extend the Army Pensions
Acts, 1923 to 1959.

Introduced by the Minister for Defence.

Passed by Dáil Éireann, 24th February, 1960.

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