CHAPTER 36.

An Act to amend the House of Commons Members' Fund Act, 1939. [30th June 1948.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Payments to widowers of past members. 2 & 3 Geo. 6. c. 49.

1.—(1) Subject to the provisions of this section, the objects of the fund established under the House of Commons Members' Fund Act, 1939 (in this Act referred to as " the principal Act ") shall include the making of grants to the widowers of persons who have been members of the House of Commons, and accordingly subsections (1) and (2) of section one of that Act shall have effect as if in each of those subsections after the word " widows " there were inserted the words " or widowers ".

(2) The First Schedule to the principal Act (which imposes limitations on the payments which may be made out of the fund) shall have effect as if after paragraph 2 there were inserted the following paragraph :—

" 2A. No payment shall be made to any person by virtue of his being the widower of a past member of the House of Commons unless, in the opinion of the trustees, he is, and was before his wife's death, incapable by reason of age or mental or bodily infirmity of earning his living ; and the annual amount of any periodical payment made to any such person shall not exceed one hundred and fifty pounds or such sum as, in the opinion of the trustees, will bring his income up to two hundred and twenty-five pounds per annum, whichever is the less."

Increase of annual payments to past members, widows and children.

2.—(1) Paragraph 1 of the First Schedule to the principal Act (which prescribes the annual amount of any periodical payments which may be made to past members of the House of Commons) shall have effect as if for the words "one hundred and fifty pounds" there were substituted the words "two hundred and fifty pounds", and as if for the words "two hundred and twenty-five pounds" there were substituted the words "three hundred and twenty-five pounds".

(2) Paragraph 2 of that Schedule (which prescribes the annual amount of any periodical payments which may be made to the widows of past members of the House of Commons) shall have effect as if for the words "seventy-five pounds" there were substituted the words "one hundred and fifty pounds" and as if for the words "one hundred and twenty-five pounds" there were substituted the words "two hundred and twenty-five pounds".

(3) For paragraph 4 of the said Schedule (which relates to the payments which may be made in respect of the children of past members of the House of Commons) there shall be substituted the following paragraph:—

"4.—(1) No payment shall be made in respect of any child of a past member of the House of Commons after the child has attained the age of sixteen years.

(2) Where any periodical payment is made in respect of only one child of a past member, the annual amount of that payment shall not exceed—

(*a*) if both of his parents are dead, one hundred pounds; and

(*b*) if one of his parents is living, fifty pounds.

(3) Where any periodical payment is made in respect of two or more children of a past member, the annual amount of that payment shall not exceed—

(*a*) if both of their parents are dead, seventy-five pounds in respect of each of those children; and

(*b*) if one of their parents is living, fifty pounds in respect of the eldest of those children and thirty pounds in respect of each of those children other than the eldest."

Variation of maximum payments and deductions from members' salaries.

3.—(1) The maximum annual amount of any periodical payment which may be made out of the fund under the principal Act as amended by this Act (whether calculated by reference to a fixed sum or by reference to the income of the recipient), and the amount of the sums to be deducted or set aside from the salaries of members of the House of Commons under subsection (3)

of section one of that Act, may be varied by a resolution passed by the House of Commons as from such date (not being earlier than the day on which the resolution is passed) as may be specified in the resolution.

(2) Any such resolution as aforesaid may be revoked or varied by a subsequent resolution.

(3) Section two of the Statutory Instruments Act, 1946 (which provides for the numbering and printing of statutory instruments) shall apply to any such resolution as aforesaid as if it were a statutory instrument. 9 & 10 Geo. 6. c. 36.

Provision for cases of special hardship.

4.—(1) Subject to the provisions of this section, the trustees may, for the purpose of alleviating special hardship, cause to be made out of sums appropriated for the purposes of this section or the income thereof such periodical or other payments as they think fit to or in respect of persons who have been members of the House of Commons whether before or after the passing of the principal Act, or the widows, widowers or orphan children of such persons.

(2) The provisions of the First Schedule to the principal Act (except paragraph 5 of that Schedule) shall not apply to payments made under this section; but subject to the provisions of the said paragraph 5 the making of any payment under this section, and the amount of any such payment, shall be in the entire discretion of the trustees.

(3) For the purposes of this section, the trustees may appropriate out of the fund established under the principal Act—

(*a*) a sum not exceeding three thousand pounds; and

(*b*) sums not exceeding the value of any property which may, at any time after the commencement of this Act, be accepted by the trustees under subsection (2) of section three of the principal Act, or the investments for the time being representing any such property.

(4) The House of Commons may in any year by resolution direct that there shall be appropriated for the purposes of this section out of the said fund such part, not exceeding one-tenth, as may be specified in the resolution of the sums deducted or set aside in that year from the salaries of members of the House of Commons under subsection (3) of section one of the principal Act.

(5) In this section the expression "year" means a year beginning on the first day of October.

Acceptance of property by the trustees.

5.—(1) In subsection (2) of section three of the principal Act (which empowers the trustees to accept certain property) all the words from "who is or," to the end of the subsection, shall be omitted.

(2) Any property, other than money or authorised investments, accepted by the trustees under the said subsection (2) shall be held upon trust for sale:

Provided that the trustees may in their discretion postpone the sale and conversion of any such property for such time as they think fit.

Report by Government Actuary.

6. Notwithstanding anything in subsection (5) of section three of the principal Act (which relates to the making of reports by the Government Actuary on the general financial position of the fund), the date specified in the report first made under that subsection after the passing of this Act may be a date later than five years after that specified in the last preceding report, but shall not be later than the expiration of twelve months after the date of dissolution of the present Parliament.

Citation.

7. This Act may be cited as the House of Commons Members' Fund Act, 1948, and the principal Act and this Act may be cited together as the House of Commons Members' Fund Acts, 1939 and 1948.

PRINTED BY SIR NORMAN GIBB SCORGIE, C.V.O., C.B.E.
Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
York House, Kingsway, London, W.C.2; 13a Castle Street, Edinburgh, 2;
39-41 King Street, Manchester, 2; 1 St. Andrew's Crescent, Cardiff;
Tower Lane, Bristol 1; 80 Chichester Street, Belfast

OR THROUGH ANY BOOKSELLER

Price 1*d.* net

(72165)