STATUTORY INSTRUMENTS

1969 No. 881

DEFENCE

Military Pensions (Ministry of Overseas Development) Regulations 1969

Made - - - -	*24th June* 1969
Coming into Operation	*25th June* 1969

In exercise of the powers conferred on me by section 4 of the Pensions and Yeomanry Pay Act 1884(a) and Article 2(1)(*a*) of the Transfer of Functions (Overseas Pensions) Order 1965(b), I hereby make the following Regulations:—

1. These Regulations may be cited as the Military Pensions (Ministry of Overseas Development) Regulations 1969.

2. Where any part of the personal estate of a person referred to in section 4 of the aforesaid Act to whom a pension is payable by virtue of section 1 of the Pensions (India, Pakistan and Burma) Act 1955(c) or any order made thereunder is held by or under the control of the Minister of Overseas Development, and the amount thereof does not exceed £40, payment may be made—

(*a*) if there is an unrevoked will which it is not proposed to prove, to the person or persons who appear to the Minister to be beneficially entitled under the terms of the will;

(*b*) if no person appears to the Minister to be entitled to payment under the terms of the will, or if there is no will and Letters of Administration are not being taken out,

(i) to the widow absolutely if the deceased left a widow or a widow and children;

(ii) if the deceased left children only, to such of them as they may jointly agree upon and in the absence of any such agreement to such of them in such manner as appears to the Minister to be proper having regard to the laws applicable on an intestacy or to the payment of the funeral expenses of the deceased by any of them;

(*c*) in any other case, to such persons as the Minister may direct.

3. Notwithstanding the provisions of regulation 2 of these Regulations the production of Probate or Letters of Administration may be required if such a course seems desirable to the Minister.

R. E. Prentice,
Minister of Overseas Development.

24th June 1969.

(a) 1884 c. 55. (b) S.I. 1965/1528 (1965 II, p. 4435). (c) 1955 c. 22.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations enable amounts not exceeding £40, held by the Minister of Overseas Development and forming part of the personal estate of certain deceased military pensioners who served in the former Indian forces or their widows or relatives, to be distributed without receipt of a declaration in the form set out in the schedule to the Military Pensions Commonwealth Relations Office Regulations 1959 (S.I. 1959/735).