CHAPTER 65.

An Act for establishing a Ministry of Pensions and for purposes connected therewith. [22nd December 1916.] A.D. 1916.

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:

Establishment of Minister of Pensions.

1. In order to unify the administration of such pensions, grants, and allowances as are herein-after mentioned, there shall be a Minister of Pensions appointed by His Majesty and the Minister shall be entitled to receive advice and assistance from the Parliamentary and Financial Secretary of the Admiralty, the Financial Secretary of the War Office, and the Parliamentary Secretary of the Local Government Board in respect of any matter on which such advice and assistance is requested by the Minister.

Duties and powers of Minister of Pensions.

2.—(1) There shall be transferred to the Minister of Pensions—

(*a*) The powers and duties of the Admiralty with respect to pensions and grants to persons who have served as officers or men, and to their widows, children, and other dependants, and to persons who have been employed in the nursing service of any of His Majesty's naval forces, other than service pensions, so far as such pensions and grants are payable out of moneys provided by Parliament, and not provided exclusively for the purpose of Greenwich Hospital;

(*b*) the powers and duties of the Commissioners of the Royal Hospital for Soldiers at Chelsea with respect to the grant and administration of disability pensions and grants, other than in-pensions;

(*c*) the powers and duties of the Army Council and the Secretary of State for the War Department with respect to pensions and grants to persons who have served as officers or soldiers, and to their widows, children, and other dependants, and to persons who

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have been employed in the nursing service of any of His Majesty's military forces, other than service pensions;

and His Majesty may by Order in Council make such adaptations in the enactments relating to such powers and duties as aforesaid as may be necessary to make exerciseable by the Minister and his officers the powers and duties of the several authorities above mentioned and their officers, and may fix the time or times as from which the several powers and duties are to be transferred to the Minister.

(2) The Minister of Pensions shall in each year prepare and lay before Parliament a report of the proceedings of the Ministry.

Relations with Statutory Committee. 5 & 6 Geo. 5. c. 83.

3. The powers and duties of the Statutory Committee under the Naval and Military War Pensions, &c. Act, 1915, shall be exercised and performed by that Committee under the control of, and in accordance with, the instructions of the Minister of Pensions, and the Statutory Committee shall render to the Minister of Pensions advice and assistance in respect of any matter on which such advice and assistance is requested by the Minister.

Functions of local committees.

4. The local committees constituted under the Naval and Military War Pensions, &c. Act, 1915, shall, at the instance of the Minister of Pensions, exercise, with respect to pensions and grants administered by that Minister, all such functions as to inquiring, reporting, collecting, and furnishing information, making recommendations and distributing grants as by the said Act are exerciseable by those committees at the instance of the Statutory Committee.

Staff, remuneration, and expenses.

5.—(1) The Minister of Pensions may appoint such secretaries, officers, and servants as the Minister may, with the sanction of the Treasury, determine.

(2) There shall be paid, out of moneys provided by Parliament, to the Minister of Pensions such annual salary not exceeding two thousand pounds, and to the secretaries, officers, and servants of the Ministry such salaries or remuneration as the Treasury may determine.

Style, seal, and proceedings of Minister of Pensions.

6.—(1) The Minister of Pensions may sue and be sued, and may for all purposes be described by that name.

(2) The Minister shall have an official seal, which shall be officially and judicially noticed, and that seal shall be authenticated by the signature of the Minister, or of a secretary, or of some person authorised by the Minister to act on behalf of a secretary.

(3) Every document purporting to be an instrument issued by the Minister, and to be sealed with the seal of the Minister, authenticated in manner provided by this Act, or to be signed by a secretary or any person authorised by the Minister to act on behalf of a secretary, shall be received in evidence, and be

deemed to be such an instrument without further proof, unless the contrary is shown.

(4) A certificate signed by the Minister that any instrument purporting to be made or issued by him is so made or issued shall be conclusive evidence of the fact.

(5) The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply to the Minister of Pensions as if that Minister were mentioned in the first column of the schedule to the first-mentioned Act, and as if the Minister, or a secretary of the Ministry, or any person authorised by the Minister to act on his behalf, was mentioned in the second column of that schedule.

31 & 32 Vict. c. 37. 45 & 46 Vict. c. 9.

Power for Minister and a secretary to sit in Parliament.

7.—(1) The office of Minister of Pensions shall not render the person holding it incapable of being elected to, or of voting in, the Commons House of Parliament, and shall be deemed to be an office included in Schedule H. of the Representation of the People Act, 1867; in Schedule H. of the Representation of the People (Scotland) Act, 1868; in Schedule E. of the Representation of the People (Ireland) Act, 1868; and in Part I. of the schedule of the Promissory Oaths Act, 1868.

30 & 31 Vict. c. 102. 31 & 32 Vict. c. 48. 31 & 32 Vict. c. 49. 31 & 32 Vict. c. 72.

(2) The person who is first appointed to be Minister of Pensions shall not by reason of such appointment, if a member of the Commons House of Parliament, vacate his seat as such member.

(3) One of the secretaries of the Ministry shall not by reason of his office be incapable of being elected to, or of voting in, the Commons House of Parliament.

Transfer of officers.

8.—(1) There shall be transferred and attached to the Ministry of Pensions such of the persons employed under the Admiralty, the Commissioners of the said hospital, and the Army Council, in or about the execution of the powers and duties transferred to the Minister of Pensions by this Act, as, subject to the consent of the Treasury, may be agreed between the several authorities above mentioned and the Minister of Pensions.

(2) The Minister of Pensions may from time to time distribute the business of the Ministry amongst the several persons transferred thereto in pursuance of this Act in such manner as the Minister may think right, and those officers shall perform such duties in relation to that business as may be directed by the Minister:

Provided that such persons shall while they continue in office be in no worse position as respects their tenure of office, salary, and superannuation allowances than they would have been had this Act not been passed.

Short title, interpretation, and repeal.

9.—(1) This Act may be cited as the Ministry of Pensions Act, 1916.

(2) For the purposes of this Act "service pension" means any pension or award in respect of age, length of service or

A.D. 1916. special service or attached to any medal or other decoration, whether payable to persons who have been officers or men, or their widows, children, or other dependants, and the expression "pension" in relation to officers other than naval warrant officers means retired pay.

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