CHAPTER 13.

An Act to reduce to sixty years the age at which women may become entitled to old age pensions under the enactments relating to widows', orphans' and old age contributory pensions; to provide for increasing certain contributions payable under those enactments; to make provision for supplementing, in cases of need, pensions payable under the said enactments to widows who have attained the age of sixty years, and old age pensions, and for making consequential adjustments in respect of the General Exchequer Grants payable to local authorities which are public assistance authorities; and for purposes connected with the matters aforesaid.

[21st March 1940.]

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 :—

PART I.

WOMEN'S CONTRIBUTORY PENSIONS.

Reduction of age at which old age pensions become

1.—(1) Subject to the provisions of this Part of this Act, the age at which an old age pension under the Contributory Pensions Acts may become payable to a woman, whether as an insured woman or as the wife of

PART I. —*cont.* payable and adjustment of contributions.

an insured man who has attained the age of sixty-five, shall be reduced to sixty.

(2) An old age pension shall not, by virtue of the provisions of this section, accrue in respect of any period before the commencement of this Part of this Act.

(3) For the purpose of making further provision towards the cost of pensions payable under the Contributory Pensions Acts—

(*a*) the ordinary rates of contributions payable under the principal Act shall be increased, in the case of contributions payable in respect of men who have not attained the age of sixty-five by twopence per week, and in the case of contributions payable in respect of women who have not attained the age of sixty by threepence per week, and of the said increases one penny per week shall be payable by the employer and the remainder by the employed person;

(*b*) the rates of the contributions payable by virtue of paragraph (*b*) of subsection (1) of section twelve of the principal Act shall be increased, in the case of contributions payable in respect of men who have attained the age of sixty-five by one penny, and in the case of contributions payable in respect of women who have attained the age of sixty by one penny; and

(*c*) the rate of the contribution payable under subsection (1) of section twenty of the principal Act shall be increased by twopence.

(4) Contributions shall cease to be payable by virtue of paragraphs (*a*) (*c*) and (*d*) of subsection (1) of section twelve of the principal Act by or in respect of women who have attained the age of sixty.

(5) For the purpose of giving effect to the foregoing provisions of this section, the provisions of the Contributory Pensions Acts specified in the first column of the First Schedule to this Act shall have effect subject to the amendments set out in the second column of that Schedule.

(6) The foregoing provisions of this section (including the amendments set out in the second column

of the First Schedule to this Act) shall, except so far as they relate to the rates of the contributions payable by virtue of paragraph (*b*) of subsection (1) of section twelve of the principal Act, not apply in relation to women who have attained the age of sixty-five before the commencement of this Part of this Act, or in relation to special voluntary contributors, or in relation to the wife of any such contributor unless she is herself insured otherwise than as such a contributor.

Consequential amendments of enactments relating to unemployment insurance and national health insurance.

2. References in the Unemployment Insurance Acts, 1935 to 1939, and the National Health Insurance Acts, 1936 to 1939, to the age of sixty-five, except any reference relating to service which would be contributory service within the meaning of the enactments relating to teachers' superannuation, shall, in relation to women, be construed as references to the age of sixty.

Transitional provisions.

3.—(1) Regulations may be made by the Minister under the principal Act for the purpose of avoiding hardship which might otherwise be occasioned during the transitional period to women who, immediately before the commencement of this Part of this Act, were insured under the Contributory Pensions Acts or the National Health Insurance Acts, 1936 to 1939, by reason of their being ineligible for benefits for which they might have been eligible under those Acts as they were in force before the commencement of this Part of this Act, and such regulations may, in particular, provide that such women may, after attaining the age of sixty and until they attain the age of sixty-five, be, subject to such conditions as may be prescribed by the regulations, entitled during the period aforesaid—

(*a*) in the case of women insured under the Contributory Pensions Acts to continue to qualify for old age pensions at any rate payable under those Acts;

(*b*) in the case of women insured under the National Health Insurance Acts, 1936 to 1939, to payments at the rate of ten shillings a week (hereinafter referred to as sickness payments) in respect of any periods in which they may before old age pensions begin to accrue to them be rendered incapable of work by some specific disease or bodily or mental disablement.

PART I. —*cont.*

(2) Regulations may be made by the Minister under the principal Act for the purpose of avoiding hardship which might otherwise be occasioned during the transitional period to widows who, immediately before the commencement of this Part of this Act, were insured under the National Health Insurance Acts, 1936 to 1939, and entitled to widows' pensions, by reason of their being ineligible for benefits for which they might have been eligible under those Acts, as they were in force before the commencement of this Part of this Act, and such regulations may, in particular, provide that such widows may, after attaining the age of sixty and until they attain the age of sixty-five, be, subject to such conditions as may be prescribed by the regulations, entitled during the period aforesaid to payments at the rate of ten shillings a week (hereinafter referred to as sickness payments) in respect of any periods in which they may be rendered incapable of work by some specific disease or bodily or mental disablement.

(3) Regulations may be made by the National Health Insurance Joint Committee under the National Health Insurance Acts, 1936 to 1939, with respect to the administration of sickness payments, and such regulations may, in particular, make provision as to the bodies by or through which such payments are to be administered, as to the keeping of accounts of sums expended on such payments and the determination of the amounts chargeable in respect of expenses of such bodies as aforesaid in connection with the administration of such payments, and as to the audit of such accounts and expenses, and regulations so made may apply any of the provisions of the said Acts, with or without modifications.

(4) Women who, immediately before the commencement of this Part of this Act, were insured contributors under the Unemployment Insurance Acts, 1935 to 1939, or under the enactments relating to unemployment insurance in force in Northern Ireland shall, after attaining the age of sixty and before they attain the age of sixty-five be entitled during the transitional period to such benefit and during such periods as they would, if this Act had not been passed, have been entitled to under the Unemployment Insurance Acts, 1935 to 1939, by virtue of contributions paid before they

attained the age of sixty, or before the commencement of this Part of this Act, whichever is the later. PART I. —*cont.*

(5) On the application of the body charged with the administration of any special scheme made under the Unemployment Insurance Acts, 1935 to 1939, the Minister of Labour may by order vary or amend the provisions of the scheme in such manner as may be necessary to secure that during the transitional period women who immediately before the commencement of this Part of this Act were persons to whom the scheme applied shall after attaining the age of sixty and before they attain the age of sixty-five, be entitled to benefits under the scheme not less favourable than those provided with respect to insured contributors by the provisions of the last foregoing subsection.

(6) In this section the expression "transitional period" means the period beginning with the commencement of this Part of this Act and ending with the thirtieth day of June nineteen hundred and forty-five.

Adjustment of reserves of approved societies.

4.—(1) The Government Actuary shall estimate and certify, in respect of each approved society having women among its members, the amount by which the liabilities of the society in respect of benefits other than additional benefits are reduced by reason of the passing of this Part of this Act, and the amount specified in the certificate shall thereupon be debited in the account of the society in the National Health Insurance Fund, the Scottish National Health Insurance Fund, or the Welsh National Health Insurance Fund, as the case may be.

(2) Of the funds of every society set free by the reduction of liabilities aforesaid, such amount as may be certified by the Government Actuary to be represented by outstanding reserve values shall be discharged by cancelling outstanding reserve values to that amount, and the balance thereof shall be carried to a fund under the control of the National Health Insurance Joint Committee to be called the Special Suspense Fund, and may, if the Minister so directs, notwithstanding anything contained in section one hundred and forty-one of the National Health Insurance Act, 1936, be discharged out of the sums standing to the credit of the society in the Investment Account. 26 Geo. 5. & 1 Edw. 8. c. 32.

PART I. —*cont.*

(3) This section shall apply in relation to the Deposit Contributors Insurance Section and the Navy, Army and Air Force Insurance Fund respectively as if they were approved societies.

(4) There shall be debited to the Special Suspense Fund any sums expended on sickness payments under this Part of this Act and such amounts as may be determined, in accordance with the regulations made by the National Health Insurance Joint Committee, to be the amounts chargeable in respect of expenses in connection with the administration of such payments.

(5) The residue of the sums standing to the credit of the Special Suspense Fund shall be dealt with in such manner as Parliament may hereafter determine.

(6) If provision is made by any enactment of the Parliament of Northern Ireland appearing to His Majesty substantially to correspond to the provisions of this Part of this Act, His Majesty may by Order in Council make provision for the payment into the Special Suspense Fund of such sums as may be provided by the said enactment and direct that the provisions of this section relating to the payment out of that fund of sums expended on sickness payments and expenses in connection with the administration of such payments shall, with or without modifications, extend to Northern Ireland.

Expenses under Part I of Act.

5. Any amounts by which the sums payable into the Treasury Pensions Account under subsection (3) of section fourteen of the principal Act are increased by reason of the passing of this Part of this Act shall be defrayed out of moneys provided by Parliament.

Power of Northern Ireland Parliament to amend s. 14 (3) (*a*) of 2 & 3 Geo. 6. c. 84. 10 & 11 Geo. 5. c. 67.

6. Such of the provisions of paragraph (*a*) of subsection (3) of section fourteen of the National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939, as relate to the payment of additional amounts in respect of pensions shall, so far as those provisions extend to matters with respect to which the Parliament of Northern Ireland has power to make laws, be treated for the purposes of section six of the Government of Ireland Act, 1920, as an enactment passed before the appointed day.

PART I. —*cont.*

Interpretation of Part I.

7. In this Part of this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"Contributory Pensions Acts" means the Widows', Orphans' and Old Age Contributory Pensions Acts, 1936 to 1939;

"the principal Act" means the Widows', Orphans' and Old Age Contributory Pensions Act, 1936. 26 Geo. 5. & 1 Edw. 8. c. 33.

Construction, citation and commencement of Part I.

8.—(1) This Part of this Act shall be construed as one with the Contributory Pensions Acts and may together with those Acts be cited as the Widows', Orphans' and Old Age Contributory Pensions Acts, 1936 to 1940.

(2) This Part of this Act shall come into operation on the first day of July nineteen hundred and forty.

PART II.

SUPPLEMENTARY PENSIONS.

Supplementation of old age pensions and widows' pensions.

9.—(1) Subject to the provisions of this Part of this Act, a person (not being a blind person) shall be eligible for a supplementary pension under this Part of this Act who is a person entitled to receive weekly payments on account of an old age pension, or a person who has attained the age of sixty and is entitled to receive weekly payments on account of a widow's pension.

(2) Where it is proved in the prescribed manner that any person so eligible as aforesaid is in need of a supplementary pension, there may be granted to him a supplementary pension of an amount determined in accordance with the provisions of this Part of this Act.

(3) The sums required for the payment of supplementary pensions under this Part of this Act shall be defrayed out of moneys provided by Parliament.

(4) Rules made for carrying this Part of this Act into effect shall prescribe the times at which, and the manner in which, applications for supplementary pensions are to be made, and shall make provision as to the days in the week on which supplementary pensions are to be payable to pensioners of any class, and as to the manner

PART II. —*cont.*

in which supplementary pensions are to be paid, and shall in particular provide for enabling pensioners to obtain payment thereof through the Post Office.

(5) A sum shall not be paid on account of a supplementary pension to any person unless that person is in Great Britain.

(6) No allowance shall after the second day of August nineteen hundred and forty, be granted under the Unemployment Assistance Act, 1934, to any person who is eligible for a supplementary pension.

24 & 25 Geo. 5. c. 29.

Administration of supplementary pensions. 24 & 25 Geo. 5. c. 29.

10.—(1) The Board constituted under section thirty-five of the Unemployment Act, 1934, shall cease to be called the Unemployment Assistance Board and shall be called the Assistance Board.

(2) References in any enactment or other document to the Unemployment Assistance Board shall be construed as references to the Assistance Board.

(3) The functions of the Assistance Board shall include the functions of granting supplementary pensions under this Part of this Act and generally of dealing, in accordance with the provisions of this Act, with matters relating to the administration of such pensions, and the provisions of the said Act of 1934 specified in the first column of the Second Schedule to this Act shall apply with respect to the functions of the Board under this Part of this Act, and with respect to supplementary pensions, subject to the modifications set out in the second column of that Schedule.

(4) The administration of supplementary pensions shall be conducted in such manner as may best promote the welfare of pensioners.

Provision for dealing with special cases.

11.—(1) Where an officer of the Assistance Board, or, on appeal, the appeal tribunal, is of opinion that it is necessary for protecting the interests of an applicant for a supplementary pension or of persons dependent upon him, that the whole or any part of the supplementary pension granted should be issued to some other person, the officer or tribunal may determine that it shall be so issued and shall specify the name of that person in the determination.

(2) An applicant who is aggrieved by any such determination as aforesaid made in his case by an officer of the Board may, without leave, appeal to the appeal tribunal. PART II. —*cont.*

12.—(1) If during any period subsequent to the date upon which an old age pension began to accrue to any person a supplementary pension of an amount determined wholly or partly by reference to the needs of that person has been paid to some other person, and the said old age pension has not been taken into account in determining whether and at what rate the supplementary pension should be paid, the Assistance Board may certify the amount of the sums paid during the period aforesaid on account of the supplementary pension, or, as the case may be, the amount by which the sums so paid during that period would have been reduced if the old age pension had been taken into account as aforesaid, and the appropriate authority may direct that a sum equal to the amount so certified shall be treated as advances made on account of the old age pension to the person to whom that pension is payable, and the appropriate authority may deduct that amount from any payments accruing on account of the old age pension in respect of the said period, and may pay the amount so deducted to the Board. **Provision as to supplementary pension paid in respect of person entitled to old age pension.**

(2) In this section the expression "the appropriate authority" means, in the case of an old age pension payable under the Old Age Pensions Act, 1936, the Treasury, and in the case of any other old age pension, the Minister. 26 Geo. 5. & 1 Edw. 8. c. 31.

13. Where a supplementary pension is granted to an applicant in whose case an order for outdoor relief was in force at any time during the month ending with the third day of August nineteen hundred and forty, the rate of the outdoor relief payable under any order for outdoor relief which was, at any time during the period of six months ending with that date, in force in the case of the applicant, may be taken into consideration and the amount of the supplementary pension may be increased accordingly notwithstanding anything in the regulations in force relating to the determination of the needs of the applicant. **Transitional provisions.**

PART II. —*cont.* Temporary provisions as to commencement of supplementary pensions.

14.—(1) Subject to the provisions of this section, supplementary pensions shall not be payable to pensioners of any class before the first day after the third day of August nineteen hundred and forty, prescribed as the day of the week for the payment of supplementary pensions to pensioners of that class.

(2) If the Assistance Board are satisfied that by reason of the number of applications for supplementary pensions or other circumstances the administration of such pensions is in any area likely to present exceptional difficulty during the first two months after the said third day of August, the Board may make arrangements with the public assistance authority for that area whereby that authority may, notwithstanding anything in this Act, continue during that period to pay outdoor relief to such numbers or classes of persons eligible for supplementary pensions as may be specified in the arrangements, and for repayment by the Board to the authority of any expenditure incurred by the authority in pursuance of the arrangements.

Expenses and receipts of Board.

15.—(1) Any expenses of the Assistance Board attributable to the purposes of this Part of this Act shall be defrayed out of moneys provided by Parliament.

(2) Subsection (1) of section forty-four and subsection (1) of section forty-six of the Unemployment Act, 1934, (which make provision as to the payment of receipts and expenses of the Board into and out of the Unemployment Assistance Fund) shall apply only with respect to receipts and expenses of the Board attributable to the purposes of that Act.

Contributions by local authorities and adjustments in respect of General Exchequer Grants.

16. In respect of the relief afforded by the provisions of this Part of this Act to local authorities who are public assistance authorities, there shall be payable during the remainder of the third fixed grant period by such authorities in England and Wales to the Minister sums at the annual rate of one million pounds, and by such authorities in Scotland to the Secretary of State sums at the annual rate of one hundred and seventy-five thousand pounds, and the amount of the contribution to be made by each of the several local authorities in England and Wales and in Scotland respectively towards the said sums shall be such as may be determined by order

of the Minister or Secretary of State, as the case may be, after consultation with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable; such contributions as aforesaid shall be payable at such times, and in such manner, as the Minister or Secretary of State may direct, or, where the Minister or Secretary of State so directs, the liability of any local authority to pay any such contribution may be discharged by the deduction of a sum equal to the contribution from the General Exchequer Grant payable to the authority.

Compensation to officers of public assistance authorities.

17.—(1) If, in consequence of the passing of this Part of this Act or of anything done in pursuance thereof, any officer or servant of a local authority which is a public assistance authority suffers any direct pecuniary loss by reason of the determination of his appointment or the diminution of his emoluments, he shall be entitled to recover compensation for that loss from that authority:

Provided that no person shall, by virtue of this section, be entitled to recover compensation for any loss if provision is made for compensating him for that loss by or under any other enactment which is for the time being in force.

(2) For the purposes of this section, an officer or servant—

(*a*) who, at any time during the period of five years from the date of the passing of this Act, relinquishes his office by reason of his having been required to perform duties which are not analogous to, or which are an unreasonable addition to, those which he was required to perform immediately before that date; or

(*b*) whose appointment is determined or whose emoluments are reduced during the period aforesaid, because his services are not required or his duties are diminished (no misconduct being established),

shall be deemed, unless the contrary is shown, to have suffered direct pecuniary loss by reason of the determination of his appointment or the diminution of his emoluments in consequence of the passing of this Part of this Act or of something done in pursuance thereof.

PART II. —*cont.*
23 & 24 Geo. 5. c. 51.

(3) The provisions of the Fourth Schedule to the Local Government Act, 1933, shall have effect in relation to claims for compensation under this section:

Provided that the Minister may by order direct that the said provisions shall in relation to such claims have effect subject to such adaptations and modifications as he considers necessary for the purpose of applying them to claims made under this section.

(4) In this section the expression "emoluments" has the same meaning as in the Local Government Act, 1933.

Super-annuation. 25 & 26 Geo. 5. c. 23.

18. Notwithstanding the expiration of the period of twelve months after the commencement of the Superannuation Act, 1935, rules may, within six months from the passing of this Act, be made under section nine of that Act applying to pensionable officers or servants of local authorities who become officers or servants of the Assistance Board after the date of the passing of this Act the rules in force under that section applicable to other persons who become civil servants, and the rules so made shall provide for treating any pensionable officer or servant of a local authority who becomes an officer or servant of the Board within one year after that date as a pensionable officer or servant of a local authority to which those rules apply, notwithstanding that the Treasury may not have directed that the rules should apply to that authority and that no application may have been made by the authority in that behalf; and as from the date from which such rules come into operation section fifty-one of the Unemployment Act, 1934, is hereby repealed:

Provided that nothing in this section or in any rules made thereunder shall affect the superannuation benefits of any person who became an officer or servant of the Board before that date.

Interpretation.

19.—(1) In this Part of this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"Blind person" means a person so blind as to be unable to perform any work for which eyesight is essential;

"Minister" means the Minister of Health;

"Old age pension" means an old age pension under the Old Age Pensions Act, 1936, or under or by virtue of the Widows', Orphans' and Old Age Contributory Pensions Acts, 1936 to 1940, or under any enactment repealed by any of those Acts;

"Prescribed" means prescribed by rules having effect for the purposes of this Part of this Act;

"Widow's pension" has the meaning assigned to it by the Widows', Orphans' and Old Age Contributory Pensions Act, 1936.

(2) For the purposes of sub-paragraph (*b*) of paragraph 1 of the First Schedule to the Old Age Pensions Act, 1936, any supplementary pension receivable shall be deemed to be a sum receivable on account of an old age pension under that Act.

Application of Part II to Scotland.

20. In the application of this Part of this Act to Scotland—

(*a*) for any reference to the Minister of Health except in section sixteen there shall be substituted a reference to the Secretary of State, for any reference to a public assistance authority there shall be substituted a reference to a poor law authority, and for any reference to the Fourth Schedule to the Local Government Act, 1933, there shall be substituted a reference to the Second Schedule to the Rating (Scotland) Act, 1926, and paragraph (i) of subsection (1) of section seven of the Local Government (Scotland) Act, 1929; 16 & 17 Geo. 5. c. 47. 19 & 20 Geo. 5. c. 25.

(*b*) Section thirteen shall have effect as if—

(i) for the words "in whose case an order for outdoor relief was in force" there were substituted the words "who was being afforded outdoor relief";

(ii) the words "payable under any order for outdoor relief" were omitted; and

(iii) for the words "in force in the case of" there were substituted the words "being afforded to."

PART III.

Short title and extent.

21.—(1) This Act may be cited as the Old Age and Widows' Pensions Act, 1940.

(2) Save as otherwise expressly provided, this Act shall not extend to Northern Ireland.

SCHEDULES.

FIRST SCHEDULE.

Section 1.

CONSEQUENTIAL AMENDMENTS OF CONTRIBUTORY PENSIONS ACTS.

Amendments of Widows', Orphans' and Old Age Contributory Pensions Act, 1936.

Provisions amended.	Amendments.
Section one - -	For paragraph (*c*) of subsection (1) there shall be substituted the following paragraph— "(*c*) to an insured man who has attained the age of sixty-five but who has not attained the age of seventy, to an insured woman who has attained the age of sixty but has not attained the age of seventy, and to the wife of an insured man who has attained the age of sixty-five (such wife having attained the age of sixty but not having attained the age of seventy) a pension at the rate of ten shillings per week (in this Act called 'an old age pension')."
Section eight - -	In paragraph (*a*) of subsection (1) for the words "he or she attains the age of sixty-five" there shall be substituted the words "that person attains the age in the case of a man of sixty-five and in the case of a woman of sixty", and in paragraph (*b*) of that subsection for the words "sixty-five" there shall be substituted the word "sixty". After subsection (1) there shall be inserted the following subsection— "(1A) In the case of a woman who on the thirtieth day of June nineteen hundred and forty had attained the age of sixty, the reference in paragraph (*a*) of the last foregoing subsection to 'the time of attaining that age' shall be construed as a reference to the said thirtieth day of June."

1ST SCH. —*cont.*

Provisions amended.	Amendments.
Section nine - -	After subsection (2) there shall be inserted the following subsection— "(3) In relation to the payment of an old age pension in respect of the insurance of a woman, the foregoing provisions of this section shall have effect— (*a*) in the case of a woman who on the thirtieth day of June nineteen hundred and forty had attained the age of sixty, as if for the reference in paragraph (*c*) of subsection (1) to the date on which she attained the age of sixty-five there were substituted a reference to the third day of July nineteen hundred and thirty-nine, as if for all other references to the date on which she attained the age of sixty-five there were substituted references to the thirtieth day of June nineteen hundred and forty, and as if at the end of proviso (i) to subsection (1) there were inserted the words 'and for the reference to the third day of July nineteen hundred and thirty-nine'; and (*b*) in any other case as if for the words 'sixty-five' there were substituted the word 'sixty.'"
Section ten - -	At the end of subsection (1) there shall be inserted the following paragraph— "In relation to a woman, the foregoing provisions of this section shall have effect— (*a*) in the case of a woman who on the thirtieth day of June nineteen hundred and forty had attained the age of sixty-four and had ceased to be insured since attaining that age, as if for the words 'if within twelve months of ceasing to be insured he attains the age of sixty-five' there were substituted the words 'from the first

1ST SCH. —*cont.*

Provisions amended.	Amendments.
Section ten—*cont.* -	' day of July nineteen hundred ' and forty '; and (*b*) in any other case as if for the references therein to the age of sixty-five there were substituted references to the age of sixty."
Section twelve -	In paragraphs (*a*), (*c*) and (*d*) of subsection (1), for the words " who has not attained the age of sixty-five " wherever those words occur, there shall be substituted the words " who, being a man, has not " attained the age of sixty-five, or, " being a woman, has not attained the " age of sixty ". In paragraph (*b*) of subsection (1), for the words " who has attained the age of sixty-five " there shall be substituted the words " who, being a man, has " attained the age of sixty-five, or, " being a woman, has attained the age " of sixty ".
Section thirteen -	In subsection (1), after the words " who has attained the age of sixty-five " there shall be inserted the words " or, " being a woman, has attained the age " of sixty ".
Section fourteen -	In the proviso to subsection (2) for the words " have attained the age of sixty-five " there shall be substituted the words " being men have attained the age " of sixty-five and being women have " attained the age of sixty ".
Section seventeen -	In subsection (5) at the end of paragraph (*a*) there shall be inserted the words " or in the case of a woman the age of sixty ".
Section twenty -	In subsection (1) for the word " ninepence " there shall be substituted the word " elevenpence ".
Section twenty-two	At the end of subsection (1) there shall be inserted the following paragraph— " The provisions of this section shall apply in relation to a woman as if for the references therein to the age of sixty-five there were substituted references to the age of sixty ".

1ST SCH. —*cont.*

Provisions amended.	Amendments.
Section forty-one -	At the end of the section there shall be inserted the following subsection— "(5) In this section the expression 'rates of contributions' means the rates for the time being in force under any enactment."
First Schedule -	For the table contained in Part I there shall be substituted the following table—

"ORDINARY RATES OF CONTRIBUTIONS.

—	Rate of contribution per week.	Payable in case of employed persons.	
		By the employer.	By the employed person.
Contributions in case of men - - - -	1*s.* 1*d.*	6½*d.*	6½*d.*
Contributions in case of women - - -	8½*d.*	3½*d.*	5*d.*"

For the table contained in Part II there shall be substituted the following table—

"RATES OF CONTRIBUTIONS IN RESPECT OF PERSONS EMPLOYED WITHIN THE MEANING OF THE INSURANCE ACT WHO, BEING MEN, HAVE ATTAINED THE AGE OF SIXTY-FIVE, OR, BEING WOMEN, HAVE ATTAINED THE AGE OF SIXTY.

Contributions in case of men - - - -	11*d.*	11*d.*	—
Contributions in case of women - - -	8*d.*	8*d.*	—"

Fourth Schedule -	In paragraph 6 for the words "sixty-five" there shall be substituted the word "sixty".

1ST SCH. —*cont.*

Amendment of the Widows', Orphans' and Old Age Contributory Pensions (Voluntary Contributors) Act, 1937.

Section twelve - In subsection (1) after the words "sixty-five" there shall be inserted the words "or in the case of a woman, the age of sixty".

Amendments of the National Health Insurance and Contributory Pensions (Emergency Provisions) Act, 1939.

Section fourteen - At the end of subsection (3) there shall be inserted the following paragraph—

"Paragraph (*a*) of this subsection shall, in cases where the person by virtue of whose insurance the pension is payable is a woman, be construed as if for references to sixty-five years and to nineteen hundred and thirty-four there were substituted respectively references to sixty years and nineteen hundred and twenty-nine."

SECOND SCHEDULE.

Section 10.

PROVISIONS OF 24 & 25 GEO. 5. C. 29, APPLIED WITH MODIFICATIONS.

Provisions applied.	Modifications.
Subsections (3) and (4) of section thirty-five.	Subsection (3) shall have effect as if the words "under this Part of this Act" were omitted; and subsection (4) shall have effect as if for the words "the operation of this Part of this Act" there were substituted the words "their "functions in connection with the "administration of supplementary "pensions" and as if after the word "Minister" there were inserted the words "the Minister of Health and the Secretary of State".
Subsections (2), (3), (4) and (5) of section thirty-eight.	Subsection (2) shall have effect as if for the words "allowance to be granted under this Part of this Act" there were substituted the words "supplementary

2ND SCH. —*cont.*

Provisions applied.	Modifications.
Subsections (2), (3), (4) and (5) of section thirty-eight—*cont.*	pension to be granted" and as if for the words "this Act" (where those words occur for the second time) there were substituted the words "the Unemployment Act, 1934"; subsection (3) shall have effect as if for the words "made under this Part of this Act" there were substituted the words "having "effect for the purposes of Part II of "the Old Age and Widows' Pensions "Act, 1940," and as if after paragraph (*e*) there were inserted the following paragraphs:— "(*f*) the first seven shillings and sixpence a week of any superannuation payment in respect of previous service or employment from which the recipient has retired or resigned (whether payable by a former employer or not) not being a payment on account of an old age pension, as defined in Part II of the Old Age and Widows' Pensions Act, 1940, shall be disregarded; (*g*) the first seven shillings and sixpence a week of any sickness payment under Part I of the Old Age and Widows' Pension Act, 1940, shall be disregarded"; and subsection (5) shall have effect as if for the word "allowances" there were substituted the words "supplementary pensions," as if for the words "with the Minister" there were substituted the words "with any government department" and as if for the words "of the Minister" there were substituted the words "of that department".
Subsections (1), (3), (4), (5) and (6) of section thirty-nine.	Subsection (1) shall have effect as if for the words "allowances under this Part of this Act" there were substituted the words "supplementary pensions"; subsection (3) shall have effect as if for the

Provisions applied.	Modifications.
Subsections (1), (3), (4), (5) and (6) of section thirty-nine—*cont.*	words "an allowance" in all places where those words occur there were substituted the words "a supplementary pension" and as if for the words "the allowance" there were substituted the words "the supplementary pension"; subsection (4) shall have effect as if for the words "For the purposes of this Part of this Act there shall be constituted appeal tribunals and" there were substituted the words "The appeal tribunals constituted in accordance with" and as if for the words from "have effect" to the end of the subsection there were substituted the words "act for the purposes of Part II of the Unemployment Act, 1934 and of Part II of the Old Age and Widows' Pensions Act, 1940"; subsection (5) shall have effect as if the words "to whom this Part of this Act applies" were omitted, and as if for the words "an allowance under this Part of this Act" there were substituted the words "a supplementary pension"; as if for the words "provided in the section next following" there were substituted the words "otherwise expressly provided"; and as if for the words "made in that behalf under this Part of this Act" there were substituted the words "having effect in that behalf"; and subsection (6) shall have effect as if for the words "made under this and the next following section" there were substituted the words "having effect for the purposes of Part II of the Old Age and Widows' Pensions Act, 1940".
Section forty-eight -	The section shall have effect as if for the words "an allowance" in all places where those words occur there were substituted the words "a supplementary pension".

2ND SCH. —*cont.*

Provisions applied.	Modifications.
Section fifty	Subsection (2) shall have effect as if for the words "a person to whom this Part of this Act applies" there were substituted the words "eligible for a supplementary pension"; subsection (4) shall have effect as if for the words "an allowance under this Part of this Act" there were substituted the words "a supplementary pension"; and the section shall have effect as if for the words "this Part of this Act" in any other places in which those words occur there were substituted the words "Part II of the Old Age and Widows' Pensions Act, 1940".
Section fifty-two	The section shall have effect as if after the word "Minister" wherever that word occurs there were inserted the words "and the Secretary of State acting in conjunction," as if for the words "him" and "he" respectively wherever those words occur there were substituted the words "them" and "they," as if for the words "thinks," "makes," and "intends," respectively, there were substituted the words, "think," "make," and "intend," and as if for the words "the Minister's" there were substituted the word "their"; subsection (1) shall have effect as if for the words "this Part of this Act" where those words first occur there were substituted the words "Part II of the Old Age and Widows' Pensions Act, 1940," and as if for the words "this Act to be made under this Part of this Act (except rules authorised to be made under the last foregoing section)" there were substituted the words "that Part of that Act to be made thereunder"; subsection (2) shall have effect as if for the words "The Board shall within four months from the passing of this Act and thereafter" there were substituted the words "The regulations which were at the date of the passing of the Old Age and Widows' Pensions Act, 1940, in force

Provisions applied.	Modifications.
Section fifty-two—*cont.*	" for the purposes of subsection (3) of " section thirty-eight of the Unemploy- " ment Act, 1934, shall have effect for " the purposes of that section as it applies " with respect to the functions of the " Board under Part II of the said Act of " 1940, subject to such adaptations as " may be prescribed by rules made by " the Board, and the Board shall "; and as if for the words " this Act " where those words occur for the second time there were substituted the words " the " Unemployment Act, 1934, as that " section applies with respect to the " functions of the Board under Part II " of the said Act of 1940 ".
Section fifty-three -	None.
Subsections (1), (2), (3) and (6) of section fifty-four.	Subsection (1) shall have effect as if the definitions of " contravention " and " education authority " were omitted and as if for the definition of " Minister " there were substituted the following definition " ' Minister,' (except in sub- " sections (3) and (4) of section thirty-five, " where that expression means the " Minister of Labour) means the Minister " of Health "; subsection (2) shall have effect as if for the words " sixteen " and " sixteenth " there were substituted respectively the words " sixty " and " sixtieth " and subsection (3) shall have effect as if for the words " an " allowance or for a decision that a " person is a person to whom this Part " of this Act applies " there were substituted the words " a supplementary pension ".
Section fifty-five -	This section shall have effect as if— (*a*) for paragraph (1) there were substituted the following paragraph— " (1) A reference to the Secretary of State shall, except in subsection (4) of section thirty-five and in section fifty-two, be substituted for any reference to the Minister of Health ";

2ND SCH. —*cont.*

Provisions applied.	Modifications.
Section fifty-five —*cont.*	(*b*) there were omitted, the definition of "workhouse" in paragraph (2), paragraph (3), and the words in paragraph (5) "the definition of Education authority shall be omitted "and".
Section fifty-six	- Subsection (1) shall have effect as if for the words "unemployment assistance" there were substituted the words "supplementary pensions"; as if for the words "by this Part of this Act" there were substituted the words "by Part II of the Old Age and Widows' Pensions Act, 1940"; as if for the words "under this Part of this" there were substituted the words "under Part II of that" and as if for the word "allowances" there were substituted the words "supplementary pensions"; and subsection (2) shall have effect as if for the words "this Part of this Act" there were substituted the words "Part II of the Old Age and Widows' Pensions Act, 1940".
Paragraph 6 of the Seventh Schedule.	Sub-paragraph (*c*) shall have effect as if for the words "for a period specified therein no further applications for an allowance made by an applicant shall be considered" there were substituted the words "the applicant shall cease to be eligible for a supplementary pension".
Eighth Schedule	- For the Schedule there shall be substituted the following Schedule:—

"EIGHTH SCHEDULE.

MODIFICATION OF ENACTMENTS RELATING TO RELIEF OF THE POOR.

PART I.

COMMENCEMENT OF SCHEDULE.

This Schedule shall come into operation as respects any class of pensioners on the first day prescribed for payment of supplementary pensions to pensioners of that class.

PART II.

PROVISIONS APPLYING TO ENGLAND AND WALES.

1. A public assistance authority shall not after the commencement of this Schedule order outdoor relief to be given—

(*a*) to any person during any period in respect of which an old age pension is payable to that person, or to any woman who has attained the age of sixty during any period in respect of which a widow's pension is payable to her, except (in either case) during any period after the date when the pension began to accrue to that person but before the date on which the person becomes entitled to receive weekly payments on account thereof; or

(*b*) to any person whose needs have been taken into account in a determination for the time being in force granting a supplementary pension:

Provided that this paragraph shall not apply to the granting of relief in respect of the medical needs of any person or affect any powers or duties under section seventeen of the Poor Law Act, 1930 (which relates to relief in cases of sudden or urgent necessity).

2. The Assistance Board shall pay to any public assistance authority—

(*a*) the cost of any outdoor relief (not being relief in respect of medical needs) lawfully given after the commencement of this Schedule to any person after the date on which an old age pension began to accrue to him, or, in the case of a woman entitled to a widow's pension, after the date on which she attained the age of sixty years, or the date on which a widow's pension began to accrue to her, whichever is the later;

(*b*) the cost of any relief under section seventeen of the Poor Law Act, 1930, (not being relief in respect of medical needs) given after the commencement of this Schedule to a person eligible for a supplementary pension:

Provided that the amount payable by the Board in respect of any person under sub-paragraph (*a*) or sub-paragraph (*b*) of this paragraph shall not exceed the amount of the supplementary pension which would have been granted to that person by the Board, and any dispute between the Board and any authority as to the amount of the supplementary pension which would have been granted as aforesaid shall be referred to the appeal tribunal, whose decision shall be final.

2ND SCH. —*cont.*

PART III.

PROVISIONS APPLYING TO SCOTLAND.

1. A poor law authority shall not after the commencement of this Schedule afford outdoor relief—

(*a*) to any person during any period in respect of which an old age pension is payable to that person, or to any woman who has attained the age of sixty during any period in respect of which a widow's pension is payable to her, except (in either case) during any period after the date when the pension began to accrue to that person but before the date on which the person becomes entitled to receive weekly payments on account thereof; or

(*b*) to any person whose needs have been taken into account in a determination for the time being in force granting a supplementary pension:

Provided that—

(i) nothing in this paragraph shall prohibit outdoor relief being afforded to any person in a case of sudden or urgent necessity;

(ii) this paragraph shall not apply to the affording of relief in respect of the medical needs of any person.

2. The Assistance Board shall pay to any poor law authority—

(*a*) the cost of any outdoor relief (not being relief in respect of medical needs) lawfully afforded after the commencement of this Schedule to any person after the date on which an old age pension began to accrue to him or, in the case of a woman entitled to a widow's pension, after the date on which she attained the age of sixty years, or the date on which a widow's pension began to accrue to her, whichever is the later;

(*b*) the cost of any outdoor relief (not being relief in respect of medical needs) afforded after the commencement of this Schedule in a case of sudden or urgent necessity to a person eligible for a supplementary pension:

2ND SCH. —*cont.*

Provided that the amount payable by the Board in respect of any person under sub-paragraph (*a*) or sub-paragraph (*b*) of this paragraph shall not exceed the amount of the supplementary pension which would have been granted to that person by the Board, and any dispute between the Board and any authority as to the amount of the supplementary pension which would have been granted as aforesaid shall be referred to the appeal tribunal, whose decision shall be final."

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FOR
SIR WILLIAM RICHARD CODLING, C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament