EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

Section 2 of the Superannuation (Miscellaneous Provisions) Act, 1948, empowers the Secretary of State, and section 15 contains further enabling powers in that behalf, to make rules with respect to the pensions payable to and in respect of persons changing pensionable service under local government superannuation schemes for other pensionable employments specified in the rules, and vice versa.

These rules provide accordingly that—

(*a*) if a pensionable employee under a local government superannuation scheme transfers within a prescribed period (generally twelve months) to pensionable employment in the Northern Ireland Health Service, a transfer value of an appropriate amount shall be payable to the Northern Ireland Ministry of Health and Local Government out of the superannuation fund to which he was a contributor; and

(*b*) if a pensionable employee in the Northern Ireland Health Service transfers within the prescribed period to pensionable employment under a local government superannuation scheme, and the Northern Ireland Ministry of Health and Local Government pay an appropriate transfer value, the transferee is to be entitled to reckon his Northern Ireland service for the purposes of the local government superannuation scheme to which he has become subject.

In the case mentioned at (*a*) above, the Northern Ireland authorities have made the necessary provision for securing that the Scottish pensionable service will be reckonable for pension purposes under the Health Services (Superannuation) Regulations of Northern Ireland.

The rules are given limited retrospective operation under the authority of, and subject to the safeguards required by, section 2 (5) of the Act of 1948.

SERVICES HALF-PAY AND NON-EFFECTIVE SERVICE

1957 No. 1401

The Pensioners' Declarations Rules, 1957

Made - - - -	1*st August*, 1957
Coming into Operation	2*nd August*, 1957

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred upon them by section 6 of the Appropriation Act, 1957(a), and of all other powers enabling them in that behalf, hereby make the following Rules:—

1.—(1) The declaration required to be made under section 6 of the Appropriation Act, 1957, in relation to any payment out of moneys provided by Parliament for half-pay or navy, army or air-force or civil non-effective services shall be made by the person entitled to receive the payment and shall state:—

(*a*) that the declarant is entitled to receive the payment;

(a) 5 & 6 Eliz. 2. c. 63.

(*b*) the full name of the person (hereafter in these Rules referred to as " the pensioner ") to whom the pension in respect of which the payment is made was awarded ;

(*c*) the service in respect of which the pension was awarded ;

(*d*) the age (or year of birth) and place of residence of the pensioner ;

(*e*) in any case where the pension will cease on the marriage or remarriage of the pensioner, that the pensioner has not married or remarried, as the case may be ;

(*f*) in any case where the pension will cease or be reduced if a disability of the pensioner comes to an end, whether the disability continues ; and

(*g*) in any case where the pension will cease or be reduced if the pensioner's means exceed a limited amount, particulars of the pensioner's means.

(2) In these Rules, the declaration mentioned in the last foregoing paragraph is hereafter referred to as " the principal declaration ".

2.—(1) The principal declaration shall be made before a person who is not the pensioner or the wife or husband of the pensioner or of the declarant and who is:—

(*a*) in any case where the declaration is made in the United Kingdom, a person of one of the descriptions specified in parts I, II and III of the schedule to these Rules ;

(*b*) in any case where the declaration is made in any part of the Commonwealth outside the United Kingdom, a person of one of the descriptions specified in parts I and II of the schedule to these Rules ; and

(*c*) in any case where the declaration is made outside the Commonwealth, a person of one of the descriptions specified in parts I and IV of the schedule to these Rules ;

Provided that, where it is so required by the authority responsible for the payment in relation to which the declaration is made, the principal declaration shall be made before a person selected for this purpose by that authority, being a person of one of the descriptions specified in the schedule to these Rules.

(2) The principal declaration shall be supported by a declaration made by the person before whom the principal declaration is made stating:—

(*a*) which of the descriptions specified in the schedule to these Rules is applicable to him ;

(*b*) that the principal declaration was made in his presence ; and

(*c*) whether he believes the person making the principal declaration to be the pensioner.

(3) Where the principal declaration is made by a person who is not the pensioner, the declaration shall, if it is so required by the authority responsible for the payment in relation to which the declaration is made, be supported by a declaration made by a person of one of the descriptions specified in the schedule to these Rules stating when he last saw the pensioner alive.

3.—(1) A declaration under section 6 of the Appropriation Act, 1957, shall not be required to be made in relation to any payment if a declaration under that section has been made in relation to the pension in respect of which that payment is made within a period of twelve months preceding the date of that payment:

Provided that where a declaration is made for the first time after the award of a pension at a time which is not the time at which declarations are normally required to be made in relation to pensions of the same class as that pension, a declaration shall be required to be made at the time at which declarations are normally required to be made as aforesaid, notwithstanding that the declaration previously made has been made within a period of twelve months preceding that time.

(2) In its application to a declaration relating to a soldier's retirement pension, a soldier's disability pension or a soldier's widow's pension, the last foregoing paragraph shall have effect as if for the references to a period of twelve months there were substituted references to a period of six months.

(3) A declaration under section 6 of the Appropriation Act, 1957, shall not be required to be made in relation to any payment in respect of a pension if the payment is made through a banker who has entered into an undertaking in such a form as may be approved by the Treasury with respect to the notification of circumstances coming to the knowledge of the banker which might affect the right of the person to whom the payment is made to payments in respect of that pension.

4. The Interpretation Act, 1889(a), shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

5. These Rules may be cited as the Pensioners' Declarations Rules, 1957, and shall come into operation on the second day of August, nineteen hundred and fifty-seven.

Dated this first day of August, nineteen hundred and fifty-seven.

Edward Wakefield,
Anthony Barber,
Two of the Lords Commissioners
of Her Majesty's Treasury.

SCHEDULE

DESCRIPTIONS OF PERSONS BEFORE WHOM DECLARATIONS ARE TO BE MADE

PART I

Declarations made in any part of the world

1. Officers on the active or half-pay or pension list of any of Her Majesty's Naval, Military or Air Forces.

2. Persons receiving salaries of not less than £300 a year as Officers of the Household of Her Majesty, of Princes of the Royal Blood, or of Governors or Acting Governors of any part of the Commonwealth.

3. Persons in receipt of a salary or allowance of not less than £300 a year from Her Majesty's Civil List.

4. Persons who are on the active or pension list of the Permanent Civil Service of the Crown who are or were at the date of retirement in receipt of a salary of not less than £200 a year and on a scale rising to not less than £300 a year.

5. Managers of branches of British Banks.

6. Where none of the above are available, any person specifically authorised by the Treasury.

(a) 52 & 53 Vict. c. 63.

PART II

Declarations made in any part of the Commonwealth

1. Magistrates.

2. Barristers-at-law, advocates, commissioners for oaths or duly qualified solicitors.

3. Ministers of religion habitually officiating at a place of worship within 10 miles of the place where the pensioner resides for the time being. (The denomination and the address of the place of worship to be given on the form of attestation.)

4. Physicians or Surgeons registered as such under the law of the country, and regularly practising within 10 miles of the place where the pensioner resides for the time being.

5. Managers, Secretaries, Chief Cashiers and Accountants of banks registered under the law of the country and other officials of such banks who are authorised by their banks to sign documents on their behalf, and officials of such banks for the time being in charge of branch banks. (The qualification of the official and the name of the bank or branch bank to be given on the form of attestation.)

6. Postmasters, Postmistresses and other officers actually in charge of any Head, Branch or Sub-Post Office, and at Head Post Offices the officer next in command to the Postmaster. (The name of the Post Office to be given on the form of attestation.)

7. The following officers of Savings Banks registered under Act of Parliament, viz.: Actuaries, Managers, Directors, Secretaries, Chief Cashiers, Accountants and officials for the time being in charge of branch banks. (The qualification of the official and the name of the bank or branch bank to be given on the form of attestation.)

8. Police Officers not below the rank of Sergeant (rank and force to be given on the form of attestation, and, in the case of a sergeant, his number).

PART III

Declarations made in the United Kingdom

1. Officers appointed to examine vouchers for non-effective payments in the offices of the Commissioners of Customs and Excise, Commissioners of Inland Revenue, Postmaster-General, Paymaster-General, the Queen's and Lord Treasurer's Remembrancer.

2. Headmasters and Headmistresses (serving or pensioned) of public, primary and secondary schools. (The name of the school to be given on the form of attestation.)

3. Secretaries of Friendly Societies registered under the Friendly Societies Acts.

4. The employer for the time being of any person entitled to a grant in respect of service in Her Majesty's Naval, Military or Air Forces, in respect of such person.

5. Notaries Public.

6. Chief Regional Officers, Deputy-Chief Regional Officers, and officers in charge of whole-time sub-offices of the Ministry of Pensions and National Insurance.

7. Members of War Pensions Committees and of Advisory Committees appointed by the Minister of Pensions and National Insurance.

8. Duly accredited voluntary workers appointed under the War Pensions Acts.

PART IV

Declarations made in any part of the world outside the Commonwealth

1. British Diplomatic or Consular Officers empowered by law to administer oaths.

2. Notaries Public and other persons competent by the law of the country to administer such declarations. (The law must be quoted sufficiently for verification.)

3. Ministers of Religion duly licensed by Ecclesiastical Authority in the United Kingdom to officiate as chaplains in the place where they attest.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

Section 6 of the Appropriation Act, 1957, provides that a person shall not receive any payment out of moneys provided by Parliament for half-pay or for navy, army, air force or civil non-effective services unless the declaration prescribed by rules made by the Treasury has been made.

These Rules prescribe the declaration to be made by the recipient of the payment and set out the descriptions of the persons before whom declarations are to be made. They also provide that not more than one declaration shall be required in respect of each period of twelve months, or, in certain cases, six months.

INCREASE OF PENSIONS

1957 No. 160

The Increase of Pensions (Extension) Regulations, 1957

Made - - - -	*4th February,* 1957
Laid before Parliament	*5th February,* 1957
Coming into Operation	*7th February,* 1957

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred on them by section 5 of the Pensions (Increase) Act, 1947(a), and by that section as applied by subsection (1) of section 8 of the Pensions (Increase) Act, 1956(b), and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1.—(1) The Minister of Housing and Local Government is hereby empowered to pay the like increases of pensions payable by him under regulations made under section 140 of the Local Government Act, 1948(c),

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(a) 10 & 11 Geo. 6. c. 7. (b) 4 & 5 Eliz. 2. c. 39. (c) 11 & 12 Geo. 6. c. 26.