EXPLANATORY NOTE

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

The purpose of this Order is to give statutory effect under the Pensions (India, Pakistan and Burma) Act, 1955, s. 1 (1), to the arrangements between the Governments of India and the United Kingdom embodied in the letters set out in the Schedule to the Order. These arrangements will enable payment of certain instalments of sums payable to the Government of India to be made before 1st April, 1959, instead of on the dates specified in the First Schedule to the Act.

1958 No. 1041

The Pensioners' Declarations Rules, 1958

Made - - - -	24*th June*, 1958
Coming into Operation	30*th June*, 1958

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) (hereafter in these Rules referred to as "the Act"), 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 Act in relation to any payment out of moneys provided by Parliament for half-pay or navy, army, 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;

(*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; and

(*d*) the place of residence of the pensioner.

(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 has the following qualification (hereafter in these Rules referred to as "the required qualification"), that is to say:—

(*a*) in any case where the declaration is made in the United Kingdom, he is registered in the United Kingdom as a parliamentary elector;

(*b*) in any case where the declaration is made in the Channel Islands, he is on the electoral roll of Jersey, Guernsey or Sark or the register of electors of Alderney, or he is registered in the United Kingdom as a parliamentary elector;

(*c*) in any case where the declaration is made in the Isle of Man, he is on the register of electors of the Isle of Man, or he is registered in the United Kingdom as a parliamentary elector; and

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

(*d*) in any case where the declaration is made outside the United Kingdom, the Channel Islands and the Isle of Man, he is a person of one of the descriptions specified in the schedule to these Rules:

Provided that:—

(*a*) where no person having the required qualification is within reach of the declarant, he may make the declaration before such a person not having the required qualification as the Treasury may determine; and

(*b*) where the authority responsible for the payment so requires, the declaration shall be made before a person whom the authority shall select for this purpose, being a person having the required qualification.

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

(*a*) his description by virtue of which he has the required qualification;

(*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 the authority responsible for the payment so requires, be supported by a declaration made by a person having the required qualification, and not being the wife or husband of the pensioner, stating when he last saw the pensioner alive.

3.—(1) It shall not be necessary for a person to make a declaration under section 6 of the Act in relation to any payment in respect of a pension if he has made a declaration under that section in respect of that pension within a period of twelve months before that payment falls due:

Provided that the authority responsible for the payment of a pension may from time to time require the person receiving payments in respect of that pension to make a declaration in relation to the payment falling due on a specified day in each period of twelve months, and, if they so require, the person receiving the payment shall first comply with the requirement in relation to the payment which falls due on the specified day first occurring after the expiration of twelve months from the date of the declaration last made by him.

(2) Where a person entitled to receive payments in respect of a pension is provided with an order book enabling him to receive such payments falling due during a period of two years, the last foregoing paragraph shall have effect in relation to him as if for the references to a period of twelve months there were substituted references to a period of two years.

(3) It shall not be necessary for a person to make a declaration under section 6 of the Act 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 a form approved by the Treasury, with respect to the notification of circumstances coming to the knowledge of the banker which might affect that person's right to payments in respect of the pension.

(4) Where a payment in respect of a pension is made in accordance with the provisions of section 335 of the Lunacy Act, 1890(a) (which relates to pensions payable to persons who are unable by reason of mental disability to manage their affairs), or in accordance with any similar provisions, it shall not be necessary for a declaration to be made under section 6 of the Act in relation to that payment.

(a) 53 & 54 Vict. c. 5.

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. The Pensioners' Declarations Rules, 1957(b), are hereby revoked:

Provided that where, during the period of three years beginning with the coming into operation of these Rules, a declaration is made before a person of such description as is prescribed by paragraph (1) of Rule 2 of the Pensioners' Declarations Rules, 1957, that person shall be deemed to have the required qualification for the purposes of Rule 2 of these Rules.

6. These Rules may be cited as the Pensioners' Declarations Rules, 1958, and shall come into operation on the thirtieth day of June nineteen hundred and fifty-eight.

Dated this twenty-fourth day of June, nineteen hundred and fifty-eight.

Martin Redmayne,
Edward Wakefield,
Two of the Lords Commissioners
of Her Majesty's Treasury.

SCHEDULE

PERSONS BEFORE WHOM DECLARATIONS ARE TO BE MADE OUTSIDE THE UNITED KINGDOM, THE CHANNEL ISLANDS AND THE ISLE OF MAN

1. A person registered in the United Kingdom as a parliamentary elector.

2. An officer on the active or half-pay or pension list of any of Her Majesty's armed forces.

3. A person who is on the active or pension list of the permanent civil service of any territory within the British Commonwealth or the Republic of Ireland.

4. A member of the foreign service of the United Kingdom or of Her Majesty's overseas civil service, or a British diplomatic or consular officer.

5. An officer of a bank, being an officer authorised by the bank to sign documents on its behalf.

6. A physician or surgeon registered as such under the law of the territory where the declaration is made.

7. A minister of religion.

8. A master of a merchant ship, being a British subject.

9. A graduate of a university in the British Commonwealth or the Republic of Ireland.

10. A magistrate.

11. A barrister, solicitor or advocate authorised to practise in the territory where the declaration is made.

12. A notary public or other person competent by the law of the territory where the declaration is made to administer oaths.

(a) 52 & 53 Vict. c. 63. (b) S.I. 1957/1401 (1957 II, p. 1815).

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, two years, and that in certain other cases the making of a declaration shall not be necessary.

The Rules revoke and replace the Pensioners' Declarations Rules, 1957. The principal changes are in the descriptions of the persons before whom declarations are to be made. Where the declaration is made in the United Kingdom, it may now be made before any person who is registered as a parliamentary elector. A revised list of persons before whom declarations may be made in countries overseas is substituted for the list in the 1957 Rules.

UNDER LOCAL GOVERNMENT SUPERANNUATION ACTS

1958 No. 1273

The Local Government Superannuation (Benefits) (New Towns Staffs) Regulations, 1958

Made - - - -	31*st July*, 1958
Coming into Operation	15*th August*, 1958

The Minister of Housing and Local Government, in exercise of the powers conferred on him by section 1 of the Local Government Superannuation Act, 1953(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations in the terms of a draft which has been laid before Parliament and approved by resolution of each House of Parliament:—

Citation and commencement

1.—(1) These regulations may be cited as the Local Government Superannuation (Benefits) (New Towns Staffs) Regulations, 1958.

(2) The Local Government Superannuation (Benefits) Regulations, 1954 and 1955 and these regulations may be cited together as the Local Government Superannuation (Benefits) Regulations, 1954 to 1958.

(3) These regulations shall come into operation on the fifteenth day after the day on which they are made.

Interpretation

2.—(1) In these regulations the following expressions have the meanings hereby assigned to them—

"the Act of 1948" means the Superannuation (Miscellaneous Provisions) Act, 1948(**b**);

(**a**) 1 & 2 Eliz. 2. c. 25. (**b**) 11 & 12 Geo. 6. c. 33.