For every certificate or copy of any memorial, deed, or other document given or filed pursuant to this Act -	The like fees.
For every search (not being an official search) -	One shilling.
For every official search—	
For each period of five years - - -	Sixpence.

CHAPTER 55.

An Act to make further provision with regard to the Pensions of Soldiers, and to the Pay and Pensions of the Yeomanry, and for other purposes.

[14th August 1884.]

BE it enacted by the Queen'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:

Short title.

1. This Act may be cited as the Pensions and Yeomanry Pay Act, 1884.

Royal order as to soldiers pensions and to pay and pensions of the Yeomanry.

2.—(1.) On and after the commencement of this Act it shall be lawful for Her Majesty from time to time to make, and when made to revoke and vary, orders relating to pensions of soldiers, and to the pay and pensions of the Yeomanry, including the commutation of pensions, the restoration of forfeited pensions, and the award and payment of both such pay and pensions as aforesaid.

(2.) Every order so made shall forthwith after it is made be laid before both Houses of Parliament, and shall notwithstanding anything in any other Act have effect as if enacted in this Act; and if any question of doubt arises as to the construction of any Act or royal order relating to such pensions recourse shall be had to the advice of a Secretary of State, whose decision thereon shall be binding.

(3.) A Secretary of State may from time to time make such regulations as appear to him to be required for the purpose of carrying into effect any order made in pursuance of this section.

(4.) Nothing in any order made in pursuance of this section shall take away or diminish, without his consent, any right of a soldier to receive such pension as was fixed by any order applying to such soldier and in force at the time of his enlistment and for the payment whereof money shall have been voted by Parliament.

Punishment for obtaining pay or pensions by fraudulent means.

3.—(1.) If any person by means of any false certificate, false representation, false document, false statement, or other fraudulent means, obtains, or attempts to obtain, for himself or any other person, the grant, increase, or payment of any pay or pension payable, or any privilege or advantage obtainable in pursuance of any warrant, order, or regulation of Her Majesty or a Secretary of State, whether made in pursuance of this Act or otherwise, he shall, on conviction on indictment, be liable to imprisonment, with or without hard labour, for a term not exceeding two years, and on conviction by a court of summary jurisdiction be liable to imprisonment, with or without hard labour, for a term not exceeding three months, or to a fine not exceeding twenty-five pounds.

(2.) Section one hundred and forty-two of the Army Act, 1881, shall apply in like manner as if any order or regulation made in pursuance of this Act were regulations within the meaning of that section. 44 & 45 Vict. c. 58.

(3.) Any offence under this section, when prosecuted before a court of summary jurisdiction, may be prosecuted, and the fine recoverable on conviction by a court of summary jurisdiction may be recovered, in manner provided by sections one hundred and sixty-six, one hundred and sixty-seven, and one hundred and sixty-eight of the Army Act, 1881, in like manner as if those sections were herein re-enacted and in terms made applicable to this Act, and for all purposes in relation to the arrest, trial, and punishment of a person for any offence under this section, this Act shall apply to the Channel Islands and the Isle of Man, and the Royal Courts of the Channel Islands shall register the same.

Distribution of money not exceeding one hundred pounds without requiring probate.

4.—(1.) Where a person who is serving or has served as an officer, soldier, or otherwise, in or with any of Her Majesty's military forces, or who has received remuneration out of money provided by Parliament for army services, or who is the widow or relative of any such person, dies, and any part of the personal estate of such deceased person not exceeding in value one hundred pounds (whether arising from pay, pension, allowances, surplus property, prize money, or otherwise howsoever), is held by or under the control of a Secretary of State, then if any general or special regulations of a Secretary of State so provide, and subject to such regulations, probate, or other proof of the title of the personal representative of such deceased person may be dispensed with, and such personal estate may be paid, delivered, or distributed to or among the persons appearing in manner provided by the said regulations to be beneficially entitled to the personal estate of such deceased person, or to or among any one or more of such persons, or, in case of any illegitimacy of the deceased person or his children, to or among such person or persons as may be directed by the said regulations, and the Secretary of State and person making such payment, delivery, or distribution, shall be discharged from all liability in respect of the personal estate paid, delivered, or distributed in accordance with the said regulations.

Exemption from stamp duty.

5. Every order, receipt, affidavit, and document used in pursuance of any warrant, order, or regulation of Her Majesty or a Secretary of State, whether made in pursuance of this Act or otherwise, in relation to the payment of any pension in respect of military service, including service in any of the auxiliary forces, shall, unless otherwise provided by such warrant, order, or regulation, or by the regulations, general or special, of a Secretary of State, be exempt from stamp duty.

Recovery of certain penalties and sums of money under 44 Geo. 3. c. 54.

6. Whereas doubts have arisen with respect to the recovery and application of certain sums, penalties, and forfeitures under the Yeomanry Act, 1804, and it is expedient to remove such doubts: Be it therefore enacted as follows:

(1.) Any order for determining any appeal or for directing the payment of any money in pursuance of section forty-six or of

section fifty-one of the Yeomanry Act, 1804, or for any other purpose mentioned in either of those sections may be made by a court of summary jurisdiction, and enforced in accordance with the Summary Jurisdiction Acts.

(2.) A person guilty of an offence mentioned in section forty-four, forty-five, or fifty-two, of the Yeomanry Act, 1804, shall, on summary conviction for such offence, be liable to a penalty not exceeding the penalty and forfeiture mentioned in those sections.

(3.) All sums adjudged to be paid by any order or conviction mentioned in this section, if adjudged on the prosecution of the commanding officer of a corps of yeomanry, shall be paid to the commanding officer, and by him carried to the contingent and clothing account of the corps, or to such other account on behalf of the corps as a Secretary of State from time to time directs.

42 & 43 Vict. c. 49. s. 50. 44 & 45 Vict. c. 43. s. 1.

(4.) For the purpose of this section the expression "Summary Jurisdiction Acts" means, as regards England, the Summary Jurisdiction (English) Acts; and as regards Scotland, means the Summary Jurisdiction (Scotland) Acts, 1864 and 1881, and the expression "court of summary jurisdiction" has the same meaning as "the court of summary jurisdiction" and "the court" in those Acts.

(5.) The Act of the session of the forty-fourth year of the reign of King George the Fourth, intituled "An Act for consolidating "and amending the provisions of the several Acts relating "to corps of yeomanry or volunteers in Great Britain and to "make further regulations relating thereto," is in this Act referred to and may be cited as the Yeomanry Act, 1804.

Definitions.

7. In this Act—

The expression "Secretary of State" means one of Her Majesty's principal Secretaries of State; and

The expression "pension" includes any allowance in the nature of a pension; and

The expression "soldier" includes a discharged soldier.

Repeal.

8.—(1.) The Acts mentioned in the Schedule to this Act (which Acts relate to the yeomanry and to the payment of pensions under the direction of a Secretary of State) shall be repealed, on and after the commencement of this Act, to the extent mentioned in the third column of the said Schedule.

Provided that the repeal enacted by this Act shall not affect anything done or suffered, or any rights or liabilities acquired or accrued, before the commencement of this Act or of any such order, nor revive any power or right not existing at the commencement of this Act.

Commencement of Act.

9. This Act shall come into operation on the first day of January one thousand eight hundred and eighty-five, which day is in this Act referred to as the commencement of this Act: Provided that any orders may before the said date be made in pursuance of this Act, and shall come into effect upon the said commencement.

SCHEDULE.

NOTE.—A description or citation of a portion of an Act in this Schedule is inclusive of the words, section, or other part first and last mentioned, or otherwise referred to as forming the beginning and as forming the end of the portion comprised in the description or citation.

Session and Chapter.	Title.	Extent of Repeal.
44 Geo. 3. c. 54. -	An Act to consolidate and amend the provisions of the several Acts relating to corps of Yeomanry and Volunteers in Great Britain and to make further regulations relating thereto.	So much of section thirty-three as relates to the application of any sums of money. Section thirty-six. Section thirty-seven, from "be entitled to and" to "Corps, and" Section thirty-eight. Section thirty-nine, from "and the sum" to the end of that section. Section forty. Section forty-four from "and if such man shall not" to the end of the section. Section forty-five from "and if such offender shall not" to the end of the section. Sections forty-eight and forty-nine. Section fifty-one, from "as a penalty or forfeiture" to the end of the section. Section fifty-two, from "to be levied by distress and sale" to the end of the section.
53 Geo. 3. c. 51. -	An Act to relieve the widows of military officers from the payment of stamp duties on the receipt of their pensions in Ireland.	The whole Act.
7 Geo. 4. c. 58. -	An Act to amend the laws relating to Corps of Yeomanry Cavalry and Volunteers in Great Britain.	Section four.
19 & 20 Vict. c. 15. -	An Act for further regulating the payment of the out-pensioners of Greenwich and Chelsea Hospitals.	The whole Act so far as it relates to Chelsea out-pensioners.
31 & 32 Vict. c. 90. -	An Act to empower certain public Departments to pay otherwise than to executors or administrators small sums due on account of pension or allowances to persons deceased.	Section two.