(3) At the end of regulation 3 of the 1939 regulations (which relates to the payments to be made by employing authorities to administering authorities) there shall be added the following paragraph—

"(5) For the purposes of this regulation the expression "employing authority" does not include a magistrates' courts committee set up under section 16 of the Justices of the Peace Act, 1949."

Given under the official seal of the Minister of Housing and Local Government this second day of July, nineteen hundred and fifty-three.

(L.S.)

Harold Macmillan,
Minister of Housing and Local Government.

EXPLANATORY NOTE

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

These Regulations amend (in consequence of the coming into operation on 1st April, 1953, of the superannuation provisions of Part III of the Justices of the Peace Act, 1949) the Local Government Superannuation (Administration) Regulations, 1938, and the Local Government Superannuation (Administration) Regulations, 1939, by

(*a*) omitting, since justices' clerks and their assistants are now employed, or deemed for superannuation purposes to be employed, by magistrates' courts committees, a provision of the 1938 regulations which deemed certain justices' clerks and assistants to be employees of the county or borough council; and

(*b*) excepting magistrates' courts committees (who hold no funds) from the obligation placed on an employing authority under the 1939 regulations to make payments to the appropriate administering authority.

The Regulations also provide for references in the 1938 and 1939 regulations to local authorities and other similar references to be construed, where appropriate, as references to magistrates' courts committees.

PENSIONS APPEAL TRIBUNALS

1953 No. 130 (L. 3)

The Pensions Appeal Tribunals (England and Wales) (Amendment) Rules, 1953

Made - - - -	29*th January*, 1953
Laid before Parliament	30*th January*, 1953
Coming into Operation	9*th February*, 1953

I, Gavin Turnbull, Baron Simonds, Lord High Chancellor of Great Britain, by virtue of the powers conferred on me by paragraph 5 of the Schedule to the Pensions Appeal Tribunals Act, 1943(**a**), do hereby make the following Rules:—

1. The Pensions Appeal Tribunals (England and Wales) Rules, 1946(**b**), as amended by the Pensions Appeal Tribunals (England and Wales)

(a) 6 & 7 Geo. 6. c. 39. (b) S.R. & O. 1946/1708; Rev. XVII, p. 733; 1946 I, p. 1313.

(Amendment) Rules, 1949(a), which relate to the procedure to be followed on appeals to Pensions Appeal Tribunals under the Pensions Appeal Tribunals Act, 1943, shall be amended as follows:—

(*a*) For Rule 10 there shall be substituted the following new Rule:—

"Appeal not prosecuted to be placed in Deferred List.

10. Subject to the provisions of Rule 20, if the appellant fails to prosecute the appeal and does not satisfy the President that he had sufficient reason for his failure to do so, the President may direct the case to be placed in the Deferred List."

(*b*) For Part I of the Second Schedule there shall be substituted the following:—

"PART I

SUBSISTENCE ALLOWANCES TO APPELLANTS, ETC.

Where for the purpose of attending the Tribunal, or of undergoing the medical examination, the appellant or other person—

(*a*) does not spend a night away from home, but is absent for a period of more than five and less than ten hours consecutively, 3s. 0d., or for a period of ten or more hours consecutively, 6s. 6d.;

(*b*) has to spend one or more nights away from his home, per night, 23s. 6d.:

Provided that:—

(i) the allowance specified in paragraph (*a*) will not be payable for any period of twenty-four hours for which the allowance specified in paragraph (*b*) is payable; and

(ii) if the appellant's claim is in respect of his service in the Armed Forces of Her Majesty and he was, at the time of his discharge therefrom, an officer, the allowance specified in paragraph (*b*) shall be 26s. 6d."

2. These Rules may be cited as the Pensions Appeal Tribunals (England and Wales) (Amendment) Rules, 1953, and shall come into operation on the 9th day of February, 1953.

Dated the 29th day of January, 1953.

Simonds, C.

EXPLANATORY NOTE

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

These Rules amend the Pensions Appeal Tribunals (England and Wales) Rules, 1946, as amended, in the following respects:

(i) to give the President power to place in the Deferred List the case of an appellant who fails without good reason to prosecute his appeal;

(ii) to increase the subsistence allowances payable to appellants and their attendants.

(a) S.I. 1949/2105; 1949 I, p. 3008.