CHAPTER 12.

An Act to amend the Pensions (Governors of Dominions, &c.) Acts, 1911 to 1936. [18th December 1947.]

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:—

Provisions as to Governors' retirement at 55. 1 & 2 Geo. 5. c. 24.

1.—(1) The age at which a pension may be granted under section one of the Pensions (Governors of Dominions, &c.) Act, 1911 (in this Act referred to as the "principal Act") to a person who has completed the requisite number of years' service as a Governor shall be fifty-five instead of sixty years; and, accordingly, the words "fifty-five" shall be substituted for the word "sixty"—

(*a*) in paragraph (*a*) of subsection (1) of section one of the principal Act;

(*b*) in subsection (1) of section nine of the principal Act (in both places where it occurs in that subsection so far as not repealed by this Act); and

(*c*) in subsection (1) of section three of the Pensions (Governors of Dominions, &c.) Act, 1936. 26 Geo. 5. & 1 Edw. 8. c. 25.

(2) Section two of the Pensions (Governors of Dominions, &c.) Act, 1929 (which makes provision for a Governor entitled to receive a pension under section one of the principal Act, who was, immediately before his appointment as Governor, employed in service in the permanent civil service of the State, to receive in lieu thereof a pension under the Superannuation Acts, 1834 to 1946) shall apply in the case of such a Governor who has not attained the age of sixty years, but who is entitled to 19 & 20 Geo. 5. c. 16.

receive a pension under section one of the principal Act on the ground that he has completed the requisite number of years' service and has attained the age of fifty-five years, as if he had attained the age of sixty years.

(3) Where a person who, having served as a Governor, and having been employed in service in the permanent civil service of the State, has attained the age of fifty-five years, but is entitled neither to a pension under the principal Act nor to a pension under the Superannuation Acts, 1834 to 1946, by reason of his having neither completed the requisite number of years' service as a Governor nor attained the age of sixty years, the Treasury may grant to him a pension under those Acts as if he had attained the age of sixty years, and the provisions of subsection (1) of section five of the principal Act (which relates to the reckoning of Governor's service for such a pension) shall apply for the purpose of computing any such pension.

(4) No person shall, by virtue of section eight of the principal Act, be obliged, under pain of forfeiting all claim to any pension under that Act, to undertake any Governorship if he has attained the age of fifty-five years or to hold any Governorship or execute the duties thereof if he is of the full age of sixty years; and, accordingly, in the said section eight, for the word "sixty" there shall be substituted the words "fifty-five," and for the words "sixty-five" there shall be substituted the word "sixty."

Increase of rates of Governors' pensions.

2.—(1) For the purpose of calculating the amount of any pension under the principal Act, the unit of pension for every completed month's service as Governor shall be increased by one pound and, accordingly, paragraph (2) of section two of the principal Act, as amended by subsection (1) of section one of the Pensions (Governors of Dominions, &c.) Act, 1929, shall have effect as if for the words "six pounds", "five pounds", "four pounds" and "three pounds" there were therein substituted respectively the words "seven pounds", "six pounds", "five pounds" and "four pounds".

(2) As respects any person who is serving as a Governor at the commencement of this Act, this section shall be deemed to have been in operation from the date of his appointment as Governor.

Increase of maximum amount of Governors' pensions.

3.—As respects any pension granted under the principal Act after the passing of this Act, subsection (1) of section four of that Act (which specifies the maximum yearly amount of a pension under that Act), and subsection (2) of that section (which restricts the right of a person who is in receipt of any other pension in respect of employment in the service of the Crown to receive a pension under the principal Act or the full amount thereof), shall have effect with the substitution, for each reference therein to two thousand pounds, of a reference to two thousand three hundred pounds.

Repeal of provisions for reducing amount of pensions payable in special cases.

4.—(1) So much of section nine of the principal Act and of section three of the Pensions (Governors of Dominions, &c.) Act, 1929 (under which pensions may be granted under the principal Act, and under the Superannuation Acts, 1834 and 1946, respectively in certain special cases) as requires a pension granted thereunder to be reduced by an amount depending on the length of the period between the date on which the pension becomes payable and the time at which the person to whom it is granted attains the age of sixty years shall cease to have effect; and, accordingly, the enactments set out in the second column of the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) In relation to so much of any pension granted before the commencement of this Act under the said section nine or the said section three, or under either of those sections as applied by section three of the Pensions (Governors of Dominions, &c.) Act, 1936 (which provides for pensions in respect of Governor's service preceding service as Governor-General of the Sudan), as accrues due after the commencement of this Act, this section shall be deemed to have been in operation immediately before the pension was granted.

Payments out of moneys provided by Parliament.

5. There shall be paid out of moneys provided by Parliament any increase attributable to the provisions of this Act in the sums which under the Pensions (Governors of Dominions, &c.) Acts, 1911 to 1936, or under the Superannuation Acts, 1834 to 1946, are payable out of moneys so provided.

Short title, construction and citation.

6. This Act may be cited as the Pensions (Governors of Dominions, &c.) Act, 1947, and shall be construed as one with the Pensions (Governors of Dominions, &c.) Acts, 1911 to 1936; and those Acts and this Act may be cited together as the Pensions (Governors of Dominions, &c.) Acts, 1911 to 1947.

SCHEDULE.

ENACTMENTS REPEALED.

Section 4.

Session and Chapter.	Short Title.	Extent of Repeal.
1 & 2 Geo. 5. c. 24.	The Pensions (Governors of Dominions, &c.) Act, 1911.	In section nine, in subsection (1), the words from "but in such a case" to the end of the subsection.
19 & 20 Geo. 5. c. 16.	The Pensions (Governors of Dominions, &c.) Act, 1929.	In section three, in subsection (1), the words from "subject, save as hereinafter provided," to the end of the subsection, and subsection (2).

PRINTED BY SIR NORMAN GIBB SCORGIE, C.V.O., C.B.E.
Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
York House, Kingsway, London, W.C.2 ; 13a Castle Street, Edinburgh, 2 ;
39-41 King Street, Manchester, 2 ; 1 St. Andrew's Crescent, Cardiff ;
Tower Lane, Bristol, 1 ; 80 Chichester Street, Belfast
OR THROUGH ANY BOOKSELLER

Price 2*d.* net

(71226)