The Pensions (Increase) Act (Extension) Order, 1948

1948 No. 1343

Made - - - - 22nd *June*, 1948
Coming into Operation 1st *July*, 1948

At the Court at Buckingham Palace, the 22nd day of June, 1948

Present,

The King's Most Excellent Majesty in Council

His Majesty in pursuance of section four of the Pensions (Increase) Act, 1944(a), as amended by subsection (4) of section one of the Probation Officers (Superannuation) Act, 1947(b), and by subsection (2) of section thirteen of the Superannuation (Miscellaneous Provisions) Act, 1948(c), and of all other powers enabling Him in that behalf is pleased by and with the advice of His Privy Council to direct, and it is hereby directed, as follows:—

1. The Pensions (Increase) Act, 1944, shall (subject to the provisions of the Pensions (Increase) Act, 1947(d)) have effect in relation to a pension payable in accordance with an order under section one of the Probation Officers (Superannuation) Act, 1947, in respect of service as a probation officer or clerk as if it were a pension specified in Part II of the First Schedule to the said Act of 1944.

2.—(1) Any increase payable under the said Act of 1944 in respect of any such pension as aforesaid shall be paid by the authority by whom the pension is payable.

(2) The said authority shall be reimbursed the cost of any such increase—

(*a*) where the salary of the pensioner was immediately before his retirement payable out of the metropolitan police fund, out of that fund;

(*b*) in any other case, by the probation committee by whom the pensioner was employed at the time of his retirement:

Provided that where the pensioner was at the time of his retirement serving two or more probation committees the cost of the increase in his pension shall, for the purposes of the reimbursement of the said authority, be borne as between those probation committees in the like proportion as his salary was at that time borne or, in the event of any question arising, in such proportion as the Secretary of State may determine.

(3) Any sums payable by a probation committee under the last foregoing paragraph shall be defrayed as expenses in respect of superannuation allowances to probation officers and clerks under subsection (1) of section five of the Criminal Justice Act, 1925(e), by the local authority specified in that subsection, and any sums payable out of the metropolitan police fund under the said paragraph shall, for the purposes of Part I of the said Act of 1925, be treated as expenditure in respect of superannuation allowances to probation officers and clerks under paragraph (c) of subsection (1) of section nine of that Act.

(a) 7 & 8 Geo. 6. c. 21. (b) 10 & 11 Geo. 6. c. 38.
(c) 11 & 12 Geo. 6. c. 33. (d) 10 & 11 Geo. 6. c. 7.
(e) 15 & 16 Geo. 5. c. 86, as amended by 10 & 11 Geo. 6. c. 38. s. 2 and Sch.

3. In this Order the expression "clerk" means a person appointed to assist a probation officer in the performance of his duties either by a probation committee or the Secretary of State or before the first day of July, 1944, by a probation officer.

4. Article 2 of the Pensions (Increase) Act (Extension) Order, 1944(**a**), is hereby revoked and the Schedule to that Order shall have effect as if paragraph 8 thereof were omitted.

5. The Interpretation Act, 1889(**b**), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

6.—(1) This Order may be cited as the Pensions (Increase) Act (Extension) Order, 1948, and shall come into operation on the first day of July, 1948.

(2) This Order shall not extend to Scotland.

E. C. E. Leadbitter.

EXPLANATORY NOTE

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

This Order is consequential on the Probation Officers (Superannuation) Order, 1948 (S.I. 1948 No. 1220)(**c**), made under section one of the Probation Officers (Superannuation) Act, 1947. That Order, which comes into operation on 1st July, 1948, supersedes the existing superannuation arrangements relating to probation officers and brings probation officers (including existing pensioners) and their clerks within local government superannuation schemes. The purpose of the present Order is to apply the Pensions (Increase) Act, 1944, to pensions under the new arrangements: the Act was applied to pensions under the existing arrangements by the provisions of the Pensions (Increase) Act (Extension) Order, 1944, revoked by Article 4.

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7. WAR PENSIONS

(1) *Mercantile Marine.* | (2) *Naval Auxiliary Personnel,* p. 3356.

(1) MERCANTILE MARINE

The War Pensions (Mercantile Marine) (Amendment) Scheme, 1948

1948 No. 203

Made - - - - 6th February, 1948

With the consent of the Treasury, the Minister of Pensions, in exercise of the powers conferred upon him by Sections 3, 4 and 7 of the Pensions (Navy, Army, Air Force and Mercantile Marine) Act, 1939(**d**), as amended by the Pensions (Mercantile Marine) Act, 1942(**e**), hereby makes the following Scheme:—

1. This Scheme may be cited as the War Pensions (Mercantile Marine) (Amendment) Scheme, 1948.

(**a**) S.R. & O. 1944 (No. 934) I, p. 651. (**b**) 52 & 53 Vict. c. 63.
(**c**) *See* p. 3330 above. (**d**) 2 & 3 Geo. 6. c. 83.
(**e**) 5 & 6 Geo. 6. c. 26.