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 under the letters set out in the First Schedule to the Act to be made on 1st April, 1958, instead of on the dates specified in the said Schedule to the Act. They will also enable the control, administration and payment of certain Indian pensions to be transferred from the Government of India to the Government of the United Kingdom or from the Government of the United Kingdom to the Government of India at the request of pensioners who transfer their permanent place of residence.

1958 No. 1938

The Pensions (India) (No. 2) Order, 1958

Made - - - -	*18th November,* 1958
Laid before Parliament	*25th November,* 1958
Coming into Operation	*26th November,* 1958

I, Alexander Frederick, Earl of Home, one of Her Majesty's Principal Secretaries of State, in exercise of the powers conferred on me by subsection (2) of section 1 of the Pensions (India, Pakistan and Burma) Act, 1955(a) (hereafter in this Order referred to as " the Act "), with the consent of the Treasury, hereby make the following Order:—

1. Subsection (1) of section 1 of the Act shall apply in relation to the arrangements between Her Majesty's Government in the United Kingdom and the Government of India embodied in the letters set out in the Schedule to this Order as it applies in relation to the arrangements embodied in the letter set out in the First Schedule to the Act.

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

3. This Order may be cited as the Pensions (India) (No. 2) Order, 1958 and shall come into operation on the 26th day of November, nineteen hundred and fifty-eight.

Dated this 18th day of November, nineteen hundred and fifty-eight.

Home,
One of Her Majesty's Principal Secretaries of State.

We consent.

Michael Hughes-Young,
P. E. O. Bryan,
Two of the Lords Commissioners of Her Majesty's Treasury.

(a) 3 & 4 Eliz. 2. c. 22. (b) 52 & 53 Vict. c. 63.

SCHEDULE

No. 1

LETTER FROM THE ACTING HIGH COMMISSIONER FOR THE UNITED KINGDOM TO THE FINANCE MINISTER OF INDIA

Office of the High Commissioner
for the United Kingdom,
6, Tees January Marg,
New Delhi.

15th November, 1958.

My dear Minister,

I write with reference to the arrangements between the Government of India and the Government of the United Kingdom dated 7th March, 1955, as modified by the arrangements dated 7th February, 1958, referring to the transfer of certain pensions and related matters.

2. The Government of the United Kingdom propose that the above-mentioned arrangements shall be further modified in the manner hereafter described.

3. The instalments referred to in paragraph 6 of the 1955 arrangements in respect of the sum described in paragraph 4 of the 1955 arrangements and in paragraph 3 of the 1958 arrangements payable on 1st April in 1962 and 1963, and one half of the instalment payable on 1st April in 1964, in total a sum of £10 millions, shall be paid before 1st April, 1959.

4. The payments of instalments under paragraph 3 of this letter shall be regarded as provisional payments, subject to adjustment when the amounts payable have been finally determined.

5. The arrangements set forth in this letter are subject to the completion of such statutory procedure as may be necessary.

6. I shall be grateful if you will inform me that the Government of India agree to the proposals set out herein.

Your sincerely,
J. M. C. James,
Acting High Commissioner.

Shri Morarji R. Desai,
Minister of Finance,
Government of India,
New Delhi.

No. 2

LETTER FROM THE FINANCE MINISTER OF INDIA TO THE ACTING HIGH COMMISSIONER FOR THE UNITED KINGDOM

Finance Minister, India,
New Delhi.

15th November, 1958.

My dear Acting High Commissioner,

I have to acknowledge receipt of your letter of 15th November, 1958, as follows:—

[Here follows the text of the Acting High Commissioner's letter as in No. 1.]

2. I have pleasure in informing you that the proposals set out in that letter are agreed to by the Government of India.

Yours sincerely,
Morarji Desai.

J. M. C. James, Esq., C.M.G., M.B.E.,
Acting High Commissioner for the U.K.,
New Delhi.

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.