1962 No. 518

PENSIONS

The Pensions (Polish Forces) Scheme (Amendment and Extension) Order, 1962

Made - - - -	13*th March*, 1962
Coming into Operation	21*st March*, 1962

The Minister of Pensions and National Insurance, with the consent of the Treasury, in exercise of the powers conferred upon him by section 1 of the Polish Resettlement Act, 1947(a), and of all other powers enabling him in that behalf, hereby makes the following order:—

Citation, interpretation and commencement

1. This order, which may be cited as the Pensions (Polish Forces) Scheme (Amendment and Extension) Order, 1962, shall be read as one with the Pensions (Polish Forces) Scheme, 1949(b), as extended(c), (hereinafter referred to as "the Scheme") and shall come into operation on the 21st March, 1962.

Amendment to Article 10 of the Scheme

2.—(1) Article 10 of the Scheme (which precludes the making of awards under the Scheme to persons who are or have been resident in Poland) shall be amended in accordance with the following provisions of this Article, and accordingly shall have effect as set out in the Schedule to this order.

(2) At the end of the said Article 10 there shall be added the following proviso:—

"Provided that nothing in the foregoing provisions of this Article shall preclude the making or restoration of an award, and the making of payments thereunder, to or in respect of a person not resident in Poland—

(*a*) who is an eligible member of the family of a member of the Polish forces; or

(*b*) who is the widow, parent, child or other dependant of a deceased member of the Polish forces and who has not been or become resident in Poland since the date of his death—

for any period during which that person is not resident in Poland."

Extension of the Scheme

3. For the purposes of paragraph (1) of Article 12 of the Scheme (which paragraph provides for the duration of the Scheme) the extended period of five years from the 26th March, 1962, is hereby specified, and accordingly payments under the Scheme shall be limited to such as fall due for payment before the 27th March, 1967.

(a) 10 & 11 Geo. 6. c. 19. (b) S.I. 1949/1058 (1949 I, p. 3156).
(c) S.I. 1957/409 (1957 II, p. 1825).

Dated this twelfth day of March, 1962.

John Boyd-Carpenter,
Minister of Pensions and National Insurance.

We consent.

Dated this thirteenth day of March, 1962.

Michael Noble,
W. S. I. Whitelaw,
Two of the Lords Commissioners of Her Majesty's Treasury.

SCHEDULE

Article 2

ARTICLE 10 OF THE SCHEME AS AMENDED BY THIS ORDER*

10. Where the Minister is satisfied that a person to or in respect of whom a pension, allowance or gratuity may be or has been awarded under this Scheme, is resident in Poland or, since the termination of the service of the member of the Polish forces concerned, has been or has become so resident, no award, payment or further payment, as the case may be, of such pension, allowance or gratuity shall be made and any award of pension, allowance or gratuity which has been made to or in respect of such a person shall be terminated finally:

Provided that nothing in the foregoing provisions of this Article shall preclude the making or restoration of an award, and the making of payments thereunder, to or in respect of a person not resident in Poland—

(a) who is an eligible member of the family of a member of the Polish forces; or

(b) who is the widow, parent, child or other dependant of a deceased member of the Polish forces and who has not been or become resident in Poland since the date of his death—

for any period during which that person is not resident in Poland.

EXPLANATORY NOTE

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

This order amends the Pensions (Polish Forces) Scheme, 1949, which provides for the payment of war pensions and allowances to certain members of the Polish forces, their widows and dependants. The amendment enables an award under the Scheme to be made to or in respect of certain dependants, resident outside Poland, of members of the Polish forces, notwithstanding that the dependants have been resident in Poland since the termination of the members' service. Hitherto no award could be made under the Scheme to or in respect of a dependant who had been so resident.

The order also extends the life of the Scheme, which would otherwise expire on the 26th March, 1962, until the 26th March, 1967.

* The words added by this order are shown in italics.