

CHAPTER 19.

An Act to provide for the application of the Royal Warrant as to pensions, etc., for the military forces to certain Polish forces, to enable the Assistance Board to meet the needs of, and to provide accommodation in camps or other establishments for, certain Poles and others associated with Polish forces, to provide for their requirements as respects health and educational services, to provide for making arrangements and meeting expenses in connection with their emigration, to modify as respects the Polish resettlement forces and past members of certain Polish forces provisions relating to the service of aliens in the forces of the Crown, to provide for the discipline and internal administration of certain Polish forces and to affirm the operation up to the passing of this Act of provision previously made therefor, and for purposes connected therewith and consequential thereon. [27th March 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 :—

Power to apply Royal Warrant as to pensions etc. to certain Polish forces.

1.—(1) The Minister of Pensions may, with the consent of the Treasury, make a scheme for applying, in relation to the disablement or death, in consequence of service under British command, of members of—

(*a*) the Polish naval detachment mentioned in the agreement made between His Majesty's Government in the United Kingdom and the Government of Poland on the eighteenth day of November, nineteen hundred and thirty-nine,

(*b*) the Polish armed forces organised and employed under British command in pursuance of the agreement made as aforesaid on the fifth day of August, nineteen hundred and forty,

(*c*) the Polish resettlement forces,

provisions of His Majesty's Royal Warrant of the twelfth day of April, nineteen hundred and forty-six, concerning retired pay, pensions and other grants for members of the military forces and of the nursing and auxiliary services thereof disabled, and for the widows, children, parents and other dependants of such members deceased, in consequence of service during the 1939 world war:

Provided that payments under a scheme made under this section shall be limited to such as fall due for payment before the expiration of five years from the passing of this Act, or such extended period, if any, as the Minister of Pensions, with the consent of the Treasury, may from time to time by order specify (but without prejudice to any provision which may be made by the scheme for the drawing thereafter of any such payments not drawn during that period, or the completion thereafter of pending proceedings on a claim which will, if successful, confer a title to payments which would have fallen due during that period had the claim been then accepted), and any such order may provide that the extension shall apply only to cases of any class or classes therein specified.

(2) The scheme may also include provision, as regards cases in which periodical payments in respect of the disablement or death of members of Polish forces not falling within paragraph (*a*), (*b*) or (*c*) of the preceding subsection are being made out of moneys provided by Parliament at the date of the coming into operation of that provision, for the continuance of any of those payments during a period not longer than one year from that date.

(3) Provisions of the said Royal Warrant applied by the scheme may be applied with modifications, or subject to conditions, limitations or exceptions, and the scheme shall contain provision for securing that no payment shall be made thereunder to or in respect of any person as to whom the Minister of Pensions is satisfied that he is resident in Poland.

(4) The scheme, or any substituted scheme made under this subsection, may be amended by an order made by the Minister of Pensions with the consent of the Treasury, and, if it appears to him to be expedient, having regard to amendments made or to be made in any such scheme, that a new scheme should be substituted therefor, he may, with the consent of the Treasury, make a substituted scheme and thereby revoke the former scheme.

(5) The scheme, or any substituted scheme or order made under the last preceding subsection, may provide that it shall come into operation, or shall be deemed to have come into operation, on such date as may be specified therein, whether before or after the passing of this Act, and different dates may be specified as respects different purposes or different provisions of the scheme or order.

(6) A scheme or order made under this section shall, for the purpose of section three of the Rules Publication Act, 1893 (which relates to the printing of statutory rules), be deemed to be statutory rules within the meaning of that Act. 56 & 57 Vict. c. 66.

(7) Payments under a scheme made under this section shall be made out of moneys provided by Parliament.

Allowances from the Assistance Board.

2.—(1) An allowance may be granted by the Assistance Board (in this and the next succeeding section referred to as "the Board") to a person in the United Kingdom of any of the categories specified in subsection (2) of this section, being a person who has attained the age of sixteen years, if he proves in accordance with rules made under the Unemployment Assistance Act, 1934,— 24 & 25 Geo. 5. c. 29.

(*a*) that he is in need of an allowance;

(*b*) that he has no work, or only such part-time or intermittent work as not to enable him to earn sufficient for his needs; and

(*c*) that he is, if required by the Board so to be, registered for employment in the prescribed manner;

and if he has made application for an allowance in the prescribed manner.

(2) The said categories are—

(*a*) Poles whose registration under the Aliens Order, 1920, took place on or after the first day of September, nineteen hundred and thirty-nine, and who have been permitted to enter, or to remain in, the United Kingdom in view of circumstances attributable to war, as to which, in case of doubt, a certificate of the Secretary of State shall be conclusive;

(*b*) former members of any of the forces mentioned in subsection (1) of section one of this Act (including the naval detachment therein mentioned), and members of any of those forces relegated from service therewith;

(*c*) wives of men of categories (*a*) and (*b*), and any woman who, having been the wife of a man of either of those categories, has ceased so to be, and has not re-married;

(*d*) persons who have been permitted to enter the United Kingdom on or after the first day of September, nineteen hundred and thirty-nine, as being followers of a body of

Polish forces entering the United Kingdom and dependent thereon or on members thereof, as to which, in case of doubt, a certificate of the Secretary of State shall be conclusive.

(3) This section shall be construed with, and treated for all purposes as forming part of, the Unemployment Assistance Act, 1934, and the enactments therein contained shall apply accordingly, subject to the modifications set out in Part I of the Schedule to this Act, and the provisions of any rules or regulations for the time being in force under that Act shall apply accordingly.

(4) There shall be defrayed out of moneys provided by Parliament any increase attributable to the passing of this section in the sums payable out of such moneys under section forty-seven of the Unemployment Assistance Act, 1934, or section six of the Determination of Needs Act, 1941 and any sums received by the Board under the Unemployment Assistance Act, 1934, as applied for the purposes of this section shall be paid into the Exchequer.

4 & 5 Geo. 6. c. 11.

Provision by the Assistance Board of accommodation in camps.

3.—(1) The Board may provide accommodation in camps, hostels or other establishments for persons in Great Britain being of any of the categories specified in subsection (2) of the last preceding section, or dependants of persons of any of those categories or of members of any of the Polish resettlement forces serving therewith, or persons formerly dependent on a person who was of any of those categories, or was such a member of any of those forces, at that former time.

(2) The Board may make provision for meeting the needs (other than medical needs as defined in the Unemployment Assistance Act, 1934, or needs as to education), and for promoting the welfare, of persons for whom accommodation is provided under this section, and may make such provision in such manner as appears to them most convenient, whether by themselves providing goods or services, by making payments to others for the provision thereof, by making payments to persons for whom accommodation is provided, or partly in one of those ways and partly in another.

(3) The Board may make arrangements with any government department or other authority or person for the provision of benefits under this section, on behalf and at the expense of the Board, by that authority or person.

(4) The Board may make rules for the well-ordering of camps, hostels or other establishments in which accommodation is provided under this section, and any person who contravenes or fails to comply with a rule so made shall be liable on summary conviction to a fine not exceeding twenty-five pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

(5) The provision of benefits under this section for any person shall be at the discretion of the Board, and, without prejudice to the generality of this subsection, the Board may render the provision of any benefits thereunder for a person conditional on his being registered for employment in the manner prescribed by rules made under the Unemployment Assistance Act, 1934, if required by the Board so to be, and may render the provision for a person of accommodation, or of accommodation in any particular camp or other establishment, conditional on his observing rules made under the last preceding subsection.

(6) The Board may from time to time fix for benefits provided under this section such scales of charges applicable in different circumstances as may appear to the Board, with the approval of the Treasury, to be appropriate, and may from time to time require payments for such benefits to be made in accordance with the provisions of Part II of the Schedule to this Act.

(7) Section forty-eight of the Unemployment Assistance Act, 1934 (which provides for the prosecution of persons obtaining allowances fraudulently and for the recovery of sums procured by non-disclosure or misrepresentation by way of allowance in excess of allowance that would otherwise have been made) shall apply as respects benefits under this section with the substitution, for references in the said section forty-eight to such allowances and to the amount of any such excess of allowance, of references to such benefits and to the amount or value of any excess of benefit over what would have been provided but for the non-disclosure or misrepresentation.

(8) The Board shall have, in relation to a person for whom they have power to provide accommodation under this section the like right to complain to a petty sessional court as is conferred by section nineteen of the Poor Law Act, 1930, on a council therein mentioned in relation to a married woman requiring relief and a person whose relief would be chargeable to the council, and the powers of the court under that section shall be exercisable on such complaint. 20 & 21 Geo. 5. c. 17.

(9) The provisions of subsection (3) of section forty-eight of the Unemployment Assistance Act, 1934, as to proceedings on behalf of the Board shall apply to any such proceedings under this section or under Part II of the Schedule to this Act.

(10) In proceedings under subsection (4) of this section prima facie evidence of rules therein mentioned may be given by production of a document certified by an officer of the Board to be a true copy thereof and a document purporting to be so certified shall be deemed to be such a document unless the contrary is proved.

(11) There shall be defrayed out of moneys provided by Parliament any increase attributable to the passing of this

section in the sums payable out of such moneys under section forty-seven of the Unemployment Assistance Act, 1934, or section six of the Determination of Needs Act, 1941, and any sums received by the Board under this section or under section forty-eight of the Unemployment Assistance Act, 1934, as applied by this section, shall be paid into the Exchequer.

Provision by the Minister of Health of health services.

9 & 10 Geo. 6. c. 81.

4.—(1) The Minister of Health may provide such services and do such things as appear to him to be requisite for meeting the medical needs as defined in the Unemployment Assistance Act, 1934, or other needs as to mental or bodily health, of persons of any description for whom the Assistance Board have power to provide accommodation under section three of this Act, including any such services and things as are specified in the National Health Service Act, 1946, as services or things which, on or after the appointed day for the purposes of that Act, the Minister of Health, local health authorities, executive councils or other persons is or are authorised or required to provide or do, or may be authorised or required to provide or do, by or under that Act, and any services and things the provision or doing of which is within the duties of local health authorities under the Lunacy and Mental Treatment Acts, 1890 to 1930, or the Mental Deficiency Acts, 1913 to 1938.

(2) The Minister of Health may make arrangements with any other government department or other authority or person for the provision of services or the doing of things under this section, on his behalf and at his expense, by that authority or person.

(3) The expenses of the Minister of Health under this section shall be defrayed out of moneys provided by Parliament.

Temporary registration of medical practitioners and of pharmacists.

21 & 22 Vict. c. 90.

5.—(1) The General Medical Council may give a direction for the registration in the medical register, as a foreign practitioner, of a person to whom this subsection applies who satisfies the Council that he holds a diploma or diplomas recognised for the time being by them as affording a sufficient guarantee of his possessing knowledge and skill requisite for the efficient practice of medicine, surgery and midwifery, and, on the direction being given, he shall be registered accordingly, and the provisions of the Medical Act, 1858, relating to persons registered under that Act and to the medical register and offences in respect thereof shall, so far as may be, apply in relation to him in the same way as they apply in the case of persons registered thereunder and of the register as kept thereunder.

15 & 16 Vict. c. 56.

31 & 32 Vict. c. 121.

(2) The power of the Council of the Pharmaceutical Society of Great Britain to make byelaws under section two of the Pharmacy Act, 1852, shall include power to make byelaws providing for the registration as a pharmaceutical chemist or as a chemist and druggist under the Pharmacy Act, 1852, and the Pharmacy Act, 1868 (subject to such conditions, and to payment

of such fee, as may be prescribed by byelaws made by virtue of this subsection) of a person to whom this subsection applies who—

(*a*) satisfies the persons for the time being appointed to conduct examinations under the Pharmacy Act, 1852, as to his knowledge of the law relating to, and his skill in dispensing, drugs, medicines and poisons; and

(*b*) either is by law entitled to carry on business as a pharmacist in a foreign country, or, though not so entitled, holds or has held a diploma as a pharmacist granted in a foreign country or has passed the examinations necessary for obtaining such a diploma;

and the names of any persons registered by virtue of this subsection shall be entered in a separate part of the register of pharmaceutical chemists, or of the register of chemists and druggists, as the case may be.

(3) Subsections (1) and (2) of this section shall apply to a person being either—

(*a*) a member of any of the Polish resettlement forces, or

(*b*) a person of any of the categories specified in subsection (2) of section two of this Act who is registered under the Aliens Order, 1920, and whose registration thereunder took place on or after the twenty-fourth day of February, nineteen hundred and forty-six,

if he satisfies the following conditions, that is to say—

(i) as regards the application of the said subsection (1), that he is employed, or has been selected for employment, in a medical capacity for the care solely or mainly of persons being members of any of the Polish resettlement forces or persons of any description for whom the Assistance Board have power to provide accommodation under section three of this Act, or, in the case of a person as to whom the Minister of Health or the Secretary of State is satisfied that he is not required for employment as aforesaid, that he is employed, or has been selected for employment, in a medical capacity approved by the Minister of Health or the Secretary of State for the purposes of this subsection, and that he satisfies the General Medical Council as to his being of good character; or

(ii) as respects the application of the said subsection (2), the like conditions as are specified in the preceding paragraph, with the substitution for the references therein to a medical capacity, to the care of such persons as are therein mentioned and to the General Medical Council, of references respectively to the capacity of a pharmacist, to the provision or dispensing of drugs, medicines and poisons for such persons and to the Council of the Pharmaceutical Society of Great Britain.

(4) This section shall continue in force until the thirty-first day of December, nineteen hundred and forty-seven, and shall then expire, and—

(*a*) without prejudice to the provisions of the Medical Acts, or of the Pharmacy and Poisons Acts, 1852 to 1941, relating to the removal and erasure of names from the registers mentioned in this section, a person registered by virtue of this section shall cease to be registered on its expiry; and

52 & 53 Vict. c. 63.

(*b*) subsection (2) of section thirty-eight of the Interpretation Act, 1889, shall apply upon the expiry of this section in like manner as if it were then repealed by an Act of Parliament.

Provision by the Minister of Education of educational services.

6.—(1) The Minister of Education may, for meeting the educational needs of persons being of any description for whom the Assistance Board have power to provide accommodation under section three of this Act or members of any of the Polish resettlement forces, provide any such services and do any such things as a local education authority or the Minister of Education are or is authorised or required to provide or do, or may be authorised or required to provide or do, by or under the Education Acts, 1944 and 1946.

(2) The Minister of Education may make arrangements with any other government department or other authority or person for the provision of services or the doing of things under this section, on his behalf and at his expense, by that authority or person.

(3) The expenses of the Minister of Education under this section shall be defrayed out of moneys provided by Parliament.

Arrangements by the Minister of Labour and National Service for emigration.

7.—(1) The Minister of Labour and National Service may, in accordance with a scheme made by him with the approval of the Treasury, make arrangements, in connection with the emigration of persons of any description for whom the Assistance Board have power to provide accommodation under section three of this Act, for facilitating the removal of such persons and their belongings to their destinations and making payments in or towards defraying the expenses of providing facilities therefor:

Provided that arrangements made under this subsection shall not extend to members of any of the Polish resettlement forces relegated from service therewith, to former members of any of those forces emigrating immediately on their discharge therefrom, or to dependants of any such members or former members.

(2) A scheme under this section may be varied by a subsequent scheme made thereunder or may be revoked by order of the Minister of Labour and National Service.

(3) The expenses of the Minister of Labour and National Service under this section shall be defrayed out of moneys provided by Parliament.

Provisions as to service in the forces.

8.—(1) The limit imposed by section ninety-five of the Army Act and of the Air Force Act on the number of aliens who may serve together at any one time in any corps or unit shall not apply to any of the Polish resettlement forces, and, for the purposes of the application of that limit to any other corps or unit of the Army or of the Royal Air Force at any time during the period of five years from the passing of this Act or such extended period, if any, as the Secretary of State may from time to time by order specify, aliens serving therein being former members of any of the Polish resettlement forces shall be disregarded.

(2) A commission to serve as an officer may be held by an alien who is for the time being a member of any of the Polish resettlement forces, and may be held at any time within the period mentioned in the preceding subsection or any extension thereof provided for under that subsection by an alien being a former member of any of the Polish resettlement forces who for the time being is a member of any other corps or unit of the Army or of the Royal Air Force or is in His Majesty's Navy.

Provisions as to discipline and internal administration of certain Polish forces.

9.—(1) The Polish forces mentioned in paragraphs (*a*) and (*b*) of subsection (1) of section one of this Act shall be under the command of a person of British nationality appointed by the Secretary of State, being a person holding or having held a rank not below that of Major-General in the Army or a corresponding rank in another of the Armed Forces of the Crown, who shall be called the Administrator of Polish forces under British command and is in this section referred to as "the Administrator.

(2) Members of the said forces shall be under obligation to observe, in matters concerning their discipline and internal administration, the rules in force as to those matters under the law of Poland on the first day of January, nineteen hundred and forty-five, and a member of any of the said forces who contravenes or fails to observe any of the said rules in relation to which a punishment is thereby prescribed shall be guilty of an offence against this section and shall, on conviction thereof in accordance with the provisions of this section, be liable, subject to the provisions of this section, to the punishment prescribed by those rules:

Provided that no person shall be liable by virtue of this section to the punishment of death.

(3) Jurisdiction to try members of the said forces alleged to be guilty of such contravention or failure as aforesaid, and to award sentence on conviction thereof, shall be vested in the Administrator and shall be exercisable by him in accordance

with such procedure and in such manner as he may determine, and he shall have power for the purposes of his jurisdiction under this subsection to administer oaths.

(4) The Administrator may exercise in relation to members of the said forces all such powers as are conferred by the said rules on naval, military and air force courts and authorities.

(5) The Administrator may delegate, generally or in particular cases, to such person or persons as he may think fit, being an officer or officers serving or having served in the said forces or in any of the Armed Forces of the Crown, power to do things that are within his jurisdiction or power under the two last preceding subsections, and any such delegation may limit the exercise of a jurisdiction or power so delegated as respects the measure of punishment that may be awarded thereunder or in any other respect, or make it subject to confirmation or review by another such person or persons or by himself or to any other conditions, and may include power to sub-delegate :

Provided that no person shall be imprisoned, or shall be held in detention for any period longer than three months, pursuant to any sentence of imprisonment or detention awarded in exercise of any jurisdiction or power delegated as aforesaid unless the sentence is confirmed by the Administrator.

(6) His Majesty may by Order in Council provide for the application to the said forces, subject to such adaptations, modifications and exceptions as may be provided by the Order, of subsections (2) to (5) of section one, section two and sub-sections (2) and (4) of section three of the Visiting Forces (British Commonwealth) Act, 1933, and any Order made under this subsection may be varied or revoked by a subsequent Order in Council.

23 & 24 Geo. 5. c. 6.

(7) In the case of any act or omission constituting an offence against this section which also constitutes an offence apart from this section, nothing in the preceding provisions of this section or done thereunder shall affect any jurisdiction to try a member of the said forces for the offence apart from this section in respect of such an act or omission, and when a member of the said forces has been convicted or acquitted on such trial there shall be no jurisdiction to try him under this section in respect of the same act or omission.

(8) As respects any period between the first day of January, nineteen hundred and forty-five and the passing of this Act, the powers conferred by subsection (1) of section one of the Allied Forces Act, 1940, shall be deemed to have been exercisable in relation to the said forces by reference to the law of Poland in force on that day and as if the said forces had not ceased to be recognised by the Government of Poland, and any Order in Council made under or by virtue of that Act shall be deemed to have had effect accordingly.

3 & 4 Geo 6. c. 51.

10.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say,— Interpretation.

" Pole " means a person registered under the Aliens Order, 1920, as being a Pole ;

" Polish resettlement forces " means the Polish Re-Settlement Corps, the Polish Re-Settlement Corps (Royal Air Force), the Polish Re-Settlement Section of the Auxiliary Territorial Service, and the Polish Re-Settlement Section of the Women's Auxiliary Air Force ;

" the General Medical Council " means the Council established under section three of the Medical Act, 1858.

(2) References in this Act to any other enactment shall, unless the context requires, be construed as references to that enactment as amended by or under any other enactment, and references in this Act to the Royal Warrant mentioned in section one thereof and to the Aliens Order, 1920, shall be construed respectively as references to that Warrant or Order as for the time being in force and to any Royal Warrant or Order substituted therefor.

11.—(1) The provisions of this section shall have effect for the purpose of the application of this Act to Scotland. Application to Scotland.

(2) Subsections (8) and (9) of section three shall not apply.

(3) Section four shall have effect as if there were substituted—

(*a*) for any reference to the Minister of Health a reference to the Secretary of State ; and

(*b*) in subsection (1) for the reference to the National Health Service Act, 1946, a reference to any corresponding Act applying to Scotland ; for the reference to the Lunacy and Mental Treatment Acts, 1890 to 1930, and the Mental Deficiency Acts, 1913 to 1938, a reference to the Lunacy (Scotland) Acts, 1857 to 1919, and the Mental Deficiency (Scotland) Acts, 1913 and 1940 ; and for the reference to " local health authorities " a reference to " local authorities ".

(4) Section six shall have effect as if there were substituted—

(*a*) for any reference to the Minister of Education a reference to the Secretary of State ;

(*b*) for any reference to " a local education authority " a reference to " an education authority " ; and

(*c*) for any reference to the Education Acts, 1944 and 1946, a reference to the Education (Scotland) Act, 1946. 9 & 10 Geo. 6. c. 72.

(5) In the application of the Schedule to Scotland—

(*a*) paragraph 3 shall have effect as if the Poor Law Act, 1930, extended to Scotland ;

(*b*) paragraph 5 shall have effect as if the word " summarily " were omitted, and the reference to a time limit of one year for the institution of proceedings for recovery shall not apply.

Application to Northern Ireland.

12.—(1) The provisions of this section shall have effect for the purpose of the application of this Act to Northern Ireland.

(2) Section two and the Schedule shall apply as if the Unemployment Assistance Act, 1934, extended to Northern Ireland:

Provided that, in the application of that Act by virtue of this subsection, there shall be substituted, for references in that Act to the appeal tribunal constituted thereunder, to the chairman thereof and to rules relating thereto, references to the appeal tribunal constituted under the Unemployment Assistance Act (Northern Ireland) 1934, to the chairman thereof and to rules relating thereto, respectively.

(3) References in sections four to seven of this Act to persons of any description for whom the Assistance Board have power to provide accommodation under section three thereof shall include references to persons in Northern Ireland of any description for whom the Assistance Board would have power so to provide if those persons were in Great Britain.

Short title.

13. This Act may be cited as the Polish Resettlement Act, 1947.

SCHEDULE.

Sections 2 and 3.

SUBSIDIARY PROVISIONS AS TO ALLOWANCES FROM THE ASSISTANCE BOARD, AND AS TO CHARGES FOR ACCOMMODATION, ETC., PROVIDED BY THEM.

PART I.

Modifications of the Unemployment Assistance Act, 1934, in its application by virtue of section two of this Act.

1.—(1) Persons falling within subsection (1) of section two of this Act shall be included in the class of persons to whom the Unemployment Assistance Act, 1934 (in this Schedule referred to as " the Act of 1934 "), applies, notwithstanding that the qualifications set out in subsection (1) of section thirty-six of that Act are not fulfilled.

(2) Any question whether a person is or is not a person to whom the Act of 1934 applies by virtue of this paragraph shall be determined in accordance with the provisions of section thirty-six of that Act, with the substitution, for references therein to the qualifications set out in subsection (1) thereof, of references to a person's falling within subsection (1) of section two of this Act, and without regard to the provisions of subsection (2) of the said section thirty-six or to the proviso to subsection (3) thereof (which relate only to the qualifications set out in subsection (1) thereof).

2. On an application for the grant of an allowance by virtue of section two of this Act, subsection (1) thereof shall apply in substitution for subsection (1) of section thirty-eight of the Act of 1934 (which specifies matters to be proved as conditions for the grant of allowances).

PART II.

Provisions as to charges for accommodation etc. provided under section three of this Act.

3. Payments for benefits provided for any person under section three of this Act may be required under subsection (6) of that section from that person, or, in the case of a married person, from his wife or her husband, or, in the case of a person who is under the age of sixteen years and has parents or a parent living (including in that expression the step-father of such a person who is deemed to be part of the step-father's family for the purposes of the Poor Law Act, 1930), from the parents or either of them.

4. The amounts of the payments which may be required shall be such amounts, not exceeding what appears to the Assistance Board (in this Part of this Schedule referred to as " the Board ") to be the appropriate scale charge fixed under the said subsection (6), as may appear to the Board to be reasonable having regard to all the circumstances affecting the person on whom the requirement is made:

Provided that the appeal tribunal constituted under the Act of 1934 shall have power, on reference to them of such a requirement in the manner and within the time prescribed for appeals under subsection (5) of section thirty-nine of the Act of 1934, to determine what scale charge is appropriate and whether the amounts required to be paid are reasonable having regard to the circumstances aforesaid, and if they think fit, to vary those amounts.

5. Sums required to be paid in accordance with the preceding provisions of this Part of this Schedule shall, without prejudice to

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any other remedy be recoverable summarily as a civil debt, and proceedings for such recovery may, notwithstanding anything in any Act to the contrary, be brought at any time within one year from the time when the matter complained of arose.

6. In any proceedings for recovery of sums required to be paid as aforesaid a document signed by an officer of the Board stating the making and particulars of the requirement, whether there was any reference to the appeal tribunal duly made and, if there was, the determination of the tribunal, shall be evidence of the facts stated, and a document which purports to be so signed shall, unless the contrary is proved, be deemed to be so signed.

7. Any person who, in connection with the ascertainment of amounts which he may be reasonably required to pay under subsection (6) of section three of this Act, knowingly makes any false statement or false representation as to the circumstances affecting him shall be liable on summary conviction to imprisonment for a term not exceeding three months.

8. If it is found at any time that a person required to pay amounts under subsection (6) of section three of this Act, has, whether fraudulently or otherwise, procured by the non-disclosure or misrepresentation of a material fact that the amounts required to be paid should be less than they would otherwise have been, a further requirement may be made upon him under the said subsection in respect of the benefits in question, and the preceding provisions of this Part of this Schedule shall apply thereto with requisite modifications.

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