a draft thereof has been laid before the Parliament of Northern Ireland and has been approved by resolution of each House of that Parliament";"

and the existing paragraph (*a*) of that section shall be renumbered (*aa*) and for the words in that paragraph "for references" there shall be substituted the words "for other references".

(2) For the references in the said section thirteen to the Ministry of Labour for Northern Ireland there shall be substituted references to the Ministry of Labour and National Insurance for Northern Ireland, and the reference to the Rules Publication Act (Northern Ireland), 1925, shall be construed as a reference to that Act as amended by the Statutory Rules (Period of Laying) Act (Northern Ireland), 1950.

Short title, citation, construction, interpretation and repeal.

3.—(1) This Act may be cited as the Restoration of Pre-War Trade Practices Act, 1950, and the principal Act and this Act may be cited together as the Restoration of Pre-War Trade Practices Acts, 1942 and 1950.

(2) This Act and the principal Act shall be construed as one.

(3) In this Act the expression "the principal Act" means the Restoration of Pre-War Trade Practices Act, 1942.

5 & 6 Geo. 6. c. 9.

(4) The definition of "war period" in section eleven of the principal Act, section eight of the Emergency Laws (Transitional Provisions) Act, 1946 (which amends the said definition) and so much of subsection (1) of section five of the Emergency Laws (Miscellaneous Provisions) Act, 1947, as extends the said section eight, are hereby repealed.

9 & 10 Geo. 6. c. 26.

11 & 12 Geo. 6. c. 10.

CHAPTER 10

Reinstatement in Civil Employment Act, 1950

ARRANGEMENT OF SECTIONS

Section.
1. Reinstatement rights of reserves called up for whole-time service and persons enlisted for service in Korea.
2. Reinstatement rights of persons voluntarily extending their service under Part I of National Service Act, 1948.
3. Reinstatement rights of persons who accept commissions.
4. Special provisions in case of persons serving for two periods.
5. Modification and adaptation of various sections of National Service Act, 1948.
6. Expenses.
7. Application of Act to persons whose service ended before the commencement thereof.
8. Interpretation.
9. Power to extend to Isle of Man.
10. Short title.

An Act to make further provision for the reinstatement in civil employment of persons who have served whole-time in the armed forces of the Crown, and for safeguarding the employment of persons liable to serve as aforesaid; and for purposes connected with the matters aforesaid. [15th December 1950.]

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:—

Reinstatement rights of reserves called up for whole-time service and persons enlisted for service in Korea.

1. Where any persons have, at any time after the fifteenth day of July, nineteen hundred and fifty, entered upon a period of whole-time service in the armed forces of the Crown—

(*a*) in pursuance of any notice or directions given under any enactment which provides for the calling out on permanent service or the calling into actual service or the embodiment of any reserve or auxiliary force, or members thereof, or the recall of service pensioners;

(*b*) in pursuance of any obligation or undertaking, whether legally enforceable or not, to serve, when called upon, as a commissioned officer, not being an obligation or undertaking to accept a permanent or short-service commission or to serve for the purposes of periodical training;

(*c*) in pursuance of any directions given under subsection (5) of section three, subsection (5) of section four, subsection (3) of section five or subsection (3) of section six of the Armed Forces (Conditions of Service) Act, 1939, or subsection (2) of section one of the Naval and Marine Forces (Temporary Release from Service) Act, 1940 (as amended by the Naval Forces (Extension of Service) Act, 1944);

(*d*) in pursuance of any enlistment for a period not exceeding eighteen months with a view to service in Korea;

(*e*) in response to any notice or request made or given by the competent naval, military or air force authority, to members of the Women's Royal Naval Reserve, Queen Alexandra's Royal Naval Nursing Service Reserve or the Naval Voluntary Aid Detachment Reserve, or to persons who have served in the Auxiliary Territorial Service, or to members of the Princess Mary's Royal Air Force Nursing Service Reserve, or to persons who have served

in the Women's Auxiliary Air Force or any Voluntary Aid Detachment employed under the Air Council, whether or not there is any legal obligation to comply with the notice or request;

Part II of the National Service Act, 1948, shall apply to those persons in like manner as it applies to persons who have been called up under Part I of that Act for whole-time service; and accordingly in the said Part II (except section forty) and in the Fifth Schedule to the said Act references to persons who have or claim to have been called up under the said Part I for whole-time service shall be construed as including references to persons who have or claim to have entered upon a period of whole-time service in the armed forces of the Crown in the circumstances aforesaid, and references to whole-time service shall be construed as including references to any period of whole-time service so entered upon.

Reinstatement rights of persons voluntarily extending their service under Part I of National Service Act, 1948.

2. Where any person whose term of whole-time service under Part I of the National Service Act, 1948, was due to end on or after the fifteenth day of July, nineteen hundred and fifty, and before the first day of October, nineteen hundred and fifty, voluntarily undertook to serve whole-time in or with the regular forces for a further period not exceeding six months immediately after the time when the said term would have ended, his term of whole-time service under Part I of the said Act shall be deemed, for the purposes of Part II thereof, to have been extended so as to comprise that further period of service.

Reinstatement rights of persons who accept commissions.

3.—(1) Where any person, during his whole-time service under Part I of the National Service Act, 1948, has accepted a commission in any of the armed forces of the Crown under arrangements made by the competent naval, military or air force authority for treating commissioned service as equivalent to whole-time service under Part I of the said Act, his whole-time service as a commissioned officer under those arrangements shall be treated, for the purposes of Part II of the said Act, as a continuation of his whole-time service under the said Part I.

(2) Where any person who is liable under Part I of the National Service Act, 1948, to be called up for whole-time service has accepted a commission in any of the armed forces of the Crown under any such arrangements as aforesaid and has served whole-time as a commissioned officer under those arrangements without having been called up under the said Part I, Part II of the said Act shall apply to him in like manner as if he had been called up under the said Part I for whole-time service, and accordingly in the said Part II (except section forty) and in the Fifth Schedule to the said Act, references to persons who have or claim to have been called up under the said Part I for whole-time service shall be construed as including references to any person who has or

claims to have entered upon whole-time service as a commissioned officer in the circumstances mentioned in this subsection, and references to whole-time service shall be construed as including references to any period of such service.

(3) Where any person serving whole-time as a commissioned officer under any such arrangements as aforesaid has undertaken, with a view to service in Korea, to serve whole-time as a commissioned officer for a further period not exceeding twelve months immediately after the time when his service under the said arrangements would have ended, any further period of such service in pursuance of that undertaking shall be deemed, for the purposes of subsection (1) or, as the case may be, subsection (2) of this section, to be comprised in his period of whole-time service under the said arrangements.

(4) A certificate of the competent naval, military or air force authority as to whether a person has accepted a commission and served whole-time as a commissioned officer under such arrangements as aforesaid shall be conclusive for the purposes of any proceedings before, or on appeal from, a Reinstatement Committee.

(5) Every document purporting to be a certificate granted under the last preceding subsection and to be signed by or on behalf of the competent naval, military or air force authority shall be received in evidence, and shall, until the contrary is proved, be deemed to be such a certificate of the authority; and in any proceedings before, or on appeal from, a Reinstatement Committee, production of a document purporting to be certified by or on behalf of the authority to be a true copy of any such certificate shall, unless the contrary is proved, be sufficient evidence of the certificate.

Special provisions in case of persons serving for two periods.

4.—(1) Subject to the provisions of this section, where a person who has served for a term of whole-time service under Part I of the National Service Act, 1948, including a term for which he has been called up under section twenty-three or section twenty-four of that Act or such a term of service as a commissioned officer as is mentioned in the last preceding section, has subsequently entered upon a period of whole-time service in the armed forces of the Crown in the circumstances mentioned in paragraph (*a*), paragraph (*b*), paragraph (*c*) or paragraph (*d*) of section one of this Act, his previous period of whole-time service shall be treated, for the purposes of Part II of the said Act, as continuing without intermission until the end of his subsequent period of whole-time service.

(2) The provisions of the preceding subsection shall not apply in relation to any person where the interval between the two

periods of whole-time service exceeds twenty-six weeks or where during the said interval either—

(*a*) the period specified in subsection (2) of section thirty-six of the National Service Act, 1948, for making an application under section thirty-five of that Act expired after the end of the first of the two periods of whole-time service without his having applied to his former employer for employment; or

(*b*) his former employer has made available to him such employment as is specified in subsection (1) of section thirty-five of the said Act and he has failed without reasonable excuse to take that employment or has left it otherwise than to undertake a period of whole-time service in the armed forces of the Crown.

(3) Any periods of service treated as one for the purposes of Part II of the National Service Act, 1948, in pursuance of section forty of that Act, shall be treated as one for the purposes of this section, but, subject as aforesaid, where there is more than one previous period of service only the latest shall be taken into account for those purposes.

Modification and adaptation of various sections of National Service Act, 1948.

5.—(1) Section thirty-six of the National Service Act, 1948 (which relates to the time for making applications for reinstatement) shall have effect, in relation to any period of whole-time service which consists of or ends with a period of whole-time service entered upon in the circumstances mentioned in section one of this Act or such a further period of whole-time service as is mentioned in subsection (3) of section three of this Act, as if for the words " second Monday " in subsection (2) of the said section thirty-six there were substituted the words " third Monday "; and section thirty-seven of the said Act (which relates to the duty of an applicant to state availability for employment) shall have effect, in relation to any such period of whole-time service, as if for the words " fourteen days " wherever they occur there were substituted the words " twenty-one days."

(2) The references in section fifty of the National Service Act, 1948 (which prohibits the dismissal of employees by reason of liability for whole-time service) to any person liable to be called up under Part I of that Act for whole-time service shall be construed as including references—

(i) to any person who may be required to enter upon a period of whole-time service in the armed forces of the Crown in the circumstances mentioned in paragraph (*a*) or paragraph (*c*) of section one of this Act;

(ii) to any person on whom is imposed any such obligation, or who has given any such undertaking, as is mentioned in paragraph (*b*) thereof; and

(iii) to any such person as is mentioned in paragraph (*e*) thereof,

and the reference to the date on which any person liable to be called up under the said Part I is required to present himself in accordance with an enlistment notice shall be construed as including a reference to the date on which any such person as is mentioned in paragraph (i), paragraph (ii) or paragraph (iii) of this subsection, or any person who has accepted a commission in the circumstances mentioned in subsection (2) of section three of this Act is required to attend for the purpose of entering upon his whole-time service.

(3) In subsection (5) of section fifty-four of the said Act (which relates to the time when whole-time service commences) the reference to being treated as having been called up under Part I of that Act for whole-time service shall be construed as including a reference to being treated as having entered upon his whole time service.

(4) Any regulations made under section sixteen of the Reinstatement in Civil Employment Act, 1944, which, by virtue of subsection (3) of section sixty of the National Service Act, 1948, have effect for the purposes of Part II of the last-mentioned Act, shall also have effect for the purposes of the said Part II as applied by this Act.

Expenses.

6. Any additional expenses which by virtue of this Act fall to be defrayed under section fifty-five of the National Service Act, 1948, out of moneys provided by Parliament shall be so defrayed.

Application of Act to persons whose service ended before the commencement thereof.

7.—(1) Part II of the National Service Act, 1948, and section four of this Act shall have effect, in relation to a person whose period of whole-time service, being a period entered upon in the circumstances mentioned in section one of this Act, or a period extended in the manner mentioned in section two or subsection (3) of section three of this Act, has ended before the commencement of this Act, as if that period had ended immediately after the commencement of this Act:

Provided that, where the person in question is in the employment of his former employer at the commencement of this Act, he shall be treated for the purposes of Part II of the National Service Act, 1948, as having entered that employment immediately after the commencement of this Act in pursuance of an application in that behalf duly made by him under section thirty-five of the said Act.

(2) In the case of any person whose period of whole-time service as a commissioned officer in the circumstances mentioned in section three of this Act (other than a period extended by subsection (3) of that section) has ended before the commencement of this Act, that section and section four of this Act shall not apply in relation to that period of service, but the said sections shall apply in relation to any such period of service begun but not ended before the commencement of this Act.

Interpretation.

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

"the competent naval, military or air force authority" means the Admiralty, the Army Council or the Air Council, or an officer designated by any of them;

" former employer " has the meaning assigned to it by section forty-six of the National Service Act, 1948;

" regular forces " means the royal navy, the royal marines, the regular army and the regular air force or any reserve or auxiliary force which has been called out on permanent service or called into actual service or has been embodied;

" Reinstatement Committee " means a Committee appointed under section forty-one of the National Service Act, 1948;

" reserve or auxiliary force " means the whole or any part of the royal naval special reserve, the royal naval reserve (including the royal fleet reserve), the royal naval volunteer reserve, the royal marine forces volunteer reserve, the territorial army, the army reserve, the air force reserve, the royal air force volunteer reserve or the royal auxiliary air force;

" service in the armed forces of the Crown " means service in or with the regular forces, or in the Women's Royal Naval Service, Queen Alexandra's Royal Naval Nursing Service, Princess Mary's Royal Air Force Nursing Service or any naval or air force Voluntary Aid Detachment;

" service pensioner " means a person in receipt of a pension granted in respect of service in the regular forces, or in respect of that service and other service, not being a pension awarded in respect of disablement;

" short-service commission " means a commission for a fixed term other than a term fixed by reference to the term of whole-time service for which persons are liable to be called up under Part I of the National Service Act, 1948.

(2) Any reference in this Act to Part II of the National Service Act, 1948, shall include a reference to paragraph (*b*) of section fifty-six of that Act and to section fifty-seven of that Act, which respectively provide for the application of certain provisions of the said Part II to Scotland and Northern Ireland.

Power to extend to Isle of Man.

9.—(1) His Majesty may by Order in Council direct that this Act shall extend to the Isle of Man, subject to such adaptations and modifications as may be specified in the Order.

(2) Any Order in Council made under this section may be varied or revoked by a subsequent Order in Council.

Short title.

10. This Act may be cited as the Reinstatement in Civil Employment Act, 1950.

Table of Statutes referred to in this Act.

Short Title	Session and Chapter
Armed Forces (Conditions of Service) Act, 1939	2 & 3 Geo. 6. c. 68.
Naval and Marine Forces (Temporary Release from Service) Act, 1940	4 & 5 Geo. 6. c. 4.
Naval Forces (Extension of Service) Act, 1944 ...	7 & 8 Geo. 6. c. 13.
Reinstatement in Civil Employment Act, 1944 ...	7 & 8 Geo. 6. c. 15.
National Service Act, 1948	11 & 12 Geo. 6. c. 64.

CHAPTER 11

Administration of Justice (Pensions) Act, 1950

ARRANGEMENT OF SECTIONS

PART I

LUMP SUMS AND WIDOWS' AND CHILDREN'S PENSIONS

Reduction of pension in return for lump sum

Section.

1. Reduction of pension in return for benefits under s. 2.
2. Lump sum on retirement or death.

Widows' and Children's Pensions

3. Power to grant widows' and children's pensions.
4. Widow's pension.
5. Children's pension: beneficiaries.
6. Meaning of " period of childhood and full-time education '
7. Children's pension: rate and mode of payment.

Contributions

8. Contribution towards cost of widow's and children's pension.