# CHAPTER 70.

An Act to make provision for pensions for widows, orphans, and persons between the ages of sixty-five and seventy, and for the payment of contributions in respect thereof; and to amend the enactments relating to health and unemployment insurance and old age pensions.

[7th August 1925.]

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:—

*Contributory Pensions.*

Contributory pensions for widows, orphans, and persons between the ages of 65 and 70.

**1.**—(1) Subject to the provisions of this Act relating to the payment of contributions (including payments out of moneys provided by Parliament) and otherwise, pensions shall be payable as follows, that is to say—

(*a*) to the widow of an insured man a pension at the rate of ten shillings per week, with an additional allowance in respect of children while under the age hereinafter specified, at the rate of five shillings per week for the eldest or only such child, and three shillings per week for each other such child (in this Act called a "widow's pension");

(*b*) in respect of the orphan children while under the age hereinafter specified of an insured man or of an insured widow, a pension at the rate of seven shillings and sixpence per week for each such child (in this Act called an "orphan's pension");

(*c*) to an insured man or an insured woman who has attained the age of sixty-five but has not attained the age of seventy, and to the wife of an insured man who has attained the age of sixty-five (such wife having attained the age of sixty-five but not having attained the age

of seventy) a pension at the rate of ten shillings per week (in this Act called an "old age pension").

(2) The specified age in relation to any child shall be the age of fourteen or the age not exceeding sixteen up to which the child remains under full-time instruction in a day school.

(3) By way of contribution towards the cost of carrying this Act into effect there shall be paid such contributions as are hereinafter in this Act provided.

Meaning of "insured." 14 & 15 Geo. 5. c. 38.

**2.**—(1) In this Act, unless the context otherwise requires, the expression "insured" means insured under the National Health Insurance Act, 1924 (in this Act referred to as the Insurance Act) or the Acts repealed by that Act, and in relation to any person who is deemed to be insured for the purposes of this Act, includes such a person; and the expression "insurance" in relation to a person so deemed to be insured shall be construed accordingly.

(2) For the purposes of this Act, but not for any other purpose, a person insured under the Insurance Act shall be deemed to continue to be so insured during any period during which he is by virtue of subsection (4) of section twelve of the Insurance Act entitled to medical benefit.

(3) An exempt person and a person engaged in an excepted employment shall be deemed to be insured for the purposes of this Act in the circumstances and to the extent mentioned in this Act.

*Widows and Orphans Pensions.*

Widows pensions.

**3.**—(1) Subject to the provisions of this Act, the widow of a person who dies after the commencement of this Act and who is insured at the date of his death but has not attained the age of seventy before the commencement of this Act shall, if the statutory conditions hereinafter mentioned are complied with, be entitled to a widow's pension:

Provided that the widow of a man who had attained the age of sixty at the date of the marriage shall not, if the marriage takes place after the twenty-ninth day of

April, nineteen hundred and twenty-five, be entitled to a widow's pension unless either—

(*a*) there are or have been one or more children of the marriage; or

(*b*) at the date of the death of her husband three years or more have elapsed since the date of the marriage; or

(*c*) she was immediately before the marriage in receipt of a widow's pension.

(2) A widow's pension shall continue to be payable until the widow attains the age of seventy unless she re-marries before attaining that age, in which case the pension shall cease.

(3) An additional allowance shall, subject as hereinafter provided, be paid to the widow together with and as part of the pension:

Provided that, if for any reason other than the death of the widow, the widow's pension ceases to be payable before the expiration of the time during which an additional allowance is payable, such cesser shall not affect the continuance of the additional allowance.

Orphans pensions.

**4.**—(1) Subject to the provisions of this Act, an orphan's pension shall, if the statutory conditions hereinafter mentioned are complied with, be payable in respect of the orphan child—

(*a*) of a man who, being a married man or a widower, dies after the commencement of this Act and is insured at the date of his death and has not attained the age of seventy before the commencement of this Act;

(*b*) of a widow who dies after the commencement of this Act and is insured at the date of her death.

(2) Where an additional allowance is payable in respect of a child and the widow who was entitled to the widow's pension as part of which the additional allowance was or had been payable dies, an orphan's pension shall be payable in respect of the child; and where the wife of a man has predeceased him, and, if she had survived him and died immediately after she had become entitled to a widow's pension, an orphan's pension would under the foregoing provision of this subsection have been payable in respect of any child,

an orphan's pension shall on the death of the man be payable in respect of that child.

(3) An orphan's pension shall, subject as hereinafter provided, be payable to the guardian or other person having the charge of the child.

Statutory conditions as to widows and orphans pensions.

**5.** The statutory conditions to be complied with in the case of a person in respect of whose insurance a widow's pension or an orphan's pension is payable are—

(*a*) that one hundred and four weeks have elapsed and one hundred and four contributions have been paid by or in respect of that person since the date of his entry into insurance; and

(*b*) where two hundred and eight weeks or more have elapsed since the date of the entry of that person into insurance, that the number of contributions paid, or deemed in accordance with regulations under this Act to have been paid, by or in respect of him for the three contribution years immediately prior to his death, or to the date on which contributions under the Insurance Act ceased to be payable by or in respect of him by reason of his age, as the case may be, represents on the average not less than twenty-six contributions calculated in the prescribed manner in respect of each of those three years.

Special provisions as to additional allowances and orphans pensions.

**6.**—(1) Where by order of any court any child in respect of whom an additional allowance is payable under this Act is or has before the commencement of this Act been removed from the custody of the person to whom the allowance is or would be payable, an orphan's pension shall be substituted for the additional allowance and shall be paid to the person in whose charge the child is or has been placed, or in such other manner as may from time to time be directed by order of the court.

(2) Where a representation is made to the Minister by the local authority or otherwise—

(*a*) with reference to an additional allowance payable in respect of a child, that the widow or other person to whom the additional allowance is payable has deserted or abandoned or ceased to

support the child, or has become disqualified for the time being from receiving a widow's pension, and that it would be in the interests of the child that the additional allowance should be administered by the local authority or some other person for the benefit of the child;

(*b*) with reference to an orphan's pension payable in respect of a child, that it would be in the interests of the child that it should be administered by the local authority or some other person for the benefit of the child;

the Minister, if satisfied that the allegations of the representation are true, and that it would be in the interests of the child so to do, may direct that the additional allowance or orphan's pension shall be paid to the person having the charge of the child or to any other person approved by the Minister or to the local authority, to be administered by such person or by the local authority for the benefit of the child:

Provided that, where the widow or other person to whom the additional allowance or orphan's pension is payable has not had an opportunity of presenting her case personally, or through some person appointed by her, to the local authority or a person appointed for the purpose by the local authority, the Minister (except where the widow or other person cannot be found, or is in prison, or in an asylum or other similar institution) shall, before giving any such direction, give the widow or such other person as aforesaid an opportunity of so presenting her case to a person appointed by him.

(3) Where the Minister is satisfied, on the application of a woman in receipt of an additional allowance as part of a widow's pension, or of any other person having the charge of a child in respect of whom an additional allowance or orphan's pension is payable, that the child is or is about to be placed in the temporary custody of some other person and that the additional allowance or orphan's pension should be paid to that other person so long as such temporary custody continues, he may direct that the additional allowance or orphan's pension shall be paid accordingly, subject to such terms and conditions as he may think fit to impose.

*Old Age Pensions.*

Old age pensions.

**7.**—(1) As from the appointed day the following provisions shall have effect, that is to say, subject to the provisions of this Act, a person shall, if the statutory conditions hereinafter mentioned are complied with, be entitled to an old age pension—

(*a*) if he or she has before the appointed day attained the age of sixty-five and not attained the age of seventy, and was an insured person at that date; or

(*b*) if he or she attains the age of sixty-five after the appointed day, and is at the time of attaining that age an insured person; or

(*c*) if, being a woman, who has attained the age of sixty-five but has not attained the age of seventy, she is the wife of a man who is an insured person and who is or has been entitled to an old age pension by virtue of paragraph (*a*) or (*b*) of this subsection:

Provided that the wife of a man who had attained the age of sixty at the date of the marriage shall not, if the marriage takes place after the twenty-ninth day of April, nineteen hundred and twenty-five, be entitled to an old age pension under paragraph (*c*) of this subsection unless she was immediately before the marriage in receipt of a widow's pension, or unless or until three years have elapsed since the date of the marriage.

(2) An old age pension shall continue payable until the person entitled thereto attains the age of seventy years, unless, being a woman, she before attaining that age becomes entitled to a widow's pension.

Statutory conditions as to old age pensions.

**8.** The statutory conditions to be complied with in the case of a person in respect of whose insurance an old age pension is payable are—

(*a*) that the person was continuously insured for a period of not less than five years immediately prior to the date on which he attained the age of sixty-five, or immediately prior to the appointed day in the case of a person who attained that age before the appointed day; and

(*b*) that one hundred and four contributions have been paid by or in respect of him since the date of his entry into insurance; and

(*c*) that the number of contributions paid, or deemed in accordance with regulations under this Act to have been paid, by or in respect of him for the three contribution years immediately prior to the date on which he attained the age of sixty-five, represents on the average not less than thirty-nine contributions calculated in the prescribed manner in respect of each of those three years:

Provided that—

(i) Where the period for which a person has been continuously insured immediately prior to the date on which he attained the age of sixty-five, or to the appointed day, if he attained that age before the appointed day, is less than five years, the foregoing conditions shall apply with the substitution of a reference to the expiration of the period of five years from the date of his entry into insurance for the reference to the date on which he attained the age of sixty-five, or the appointed day, as the case may be;

(ii) In the case of a person who has before the appointed day attained the age of sixty-five and is not a person to whom the foregoing proviso applies, condition (*c*) shall apply, with the substitution of a reference to the two contribution years immediately prior to the second day of January, nineteen hundred and twenty-seven, for the reference to the three contribution years immediately prior to the date on which he attained the age of sixty-five;

(iii) Where a person on attaining the age of sixty in the case of a man, or fifty-five in the case of a woman, had been continuously insured for a period of ten years or since the fifteenth day of July, nineteen hundred and twelve, whichever period is the shorter, condition (*c*) shall, if he or she so elects, apply as if, for the reference to thirty-nine contributions, there were substituted a reference to twenty-six contributions, but in such case the regulations shall not provide that the contributions shall for the purposes of that condition be deemed to have been paid in respect of any period of unemployment except

unemployment owing to incapacity for work due to some specific disease or some bodily or mental disablement.

*Contributions and Financial Provisions.*

Rates of contributions.

**9.**—(1) For the purpose of making provision towards the cost of pensions payable under this Act, contributions under this Act shall, until varied in manner hereinafter provided, be payable at the following rates, that is to say—

(i) by or in respect of every person insured under the Insurance Act who has not attained the age of sixty-five, whether an employed contributor or a voluntary contributor, at the rates specified in Part I. of the First Schedule to this Act (which rates are hereinafter referred to as the ordinary rates of contribution);

(ii) in respect of every person employed within the meaning of the Insurance Act who has attained the age of sixty-five, at the rates specified in Part II. of the First Schedule to this Act (being the rates of contributions payable by the employer in respect of employed persons under the Insurance Act and paragraph (i) of this subsection combined);

(iii) in respect of every exempt person within the meaning of the Insurance Act who has not attained the age of sixty-five, at the rates specified in Part III. of the First Schedule to this Act;

(iv) in respect of every person who is employed in an employment which is an excepted employment by virtue of a certificate given under paragraph (*b*) or (*c*) of Part II. of the First Schedule to the Insurance Act, and who has not attained the age of sixty-five, at the ordinary rates:

Provided that—

(*a*) until the appointed day, the foregoing provisions of this subsection, other than paragraph (ii), shall have effect as if for references to the age of sixty-five there were substituted references to the age of seventy, and until that date paragraph (ii) shall not apply;

(*b*) where the Minister certifies as respects any such excepted employment as is mentioned in

paragraph (iv) of this subsection that provision is made by means of a superannuation fund established by Act of Parliament, or by means of any other statutory enactment, or by other means approved by the Minister, for securing in respect of men employed therein and of their widows and children, or in respect of women employed therein and of their children, benefits on the whole not less favourable than all the benefits conferred by this Act, no contribution shall be payable under this Act in respect of such men or such women as the case may be; and

(*c*) where the Minister is satisfied as respects any such excepted employment as is mentioned in paragraph (iv) of this subsection that provision is made as aforesaid for securing benefits in respect of men employed therein on the whole not less favourable than the benefits by way of old age pensions conferred by this Act on men and their wives, or benefits in respect of women employed therein on the whole not less favourable than the benefits by way of old age pensions conferred by this Act on women, the contributions payable in respect of such men or such women, as the case may be, shall be at the rates specified in Part IV. of the First Schedule to this Act.

(2) Where the Minister is satisfied that employment by any statutory undertakers, that is to say, persons authorised by Parliament to construct, work, or carry on any railway, canal, dock, harbour, tramway, gas, electricity, water, or other undertaking of public utility is, having regard to the normal practice of the employer, employment which is permanent in character, and that the persons engaged in that employment are entitled to rights in a superannuation fund approved by the Minister, and that the terms of the employment (including those rights) are such as to secure to the persons so engaged benefits on the whole not less favourable than the benefits (other than additional benefits but including medical benefit) conferred by the Insurance Act, the Minister may give a certificate to that effect, and thereupon, subject to such conditions as may be prescribed—

(*a*) The employment shall be treated for the purposes of this Act as if it were an excepted employment

mentioned in paragraph (iv) of subsection (1) of this section; and

(*b*) The employment shall for the purposes of the Insurance Act be treated as an excepted employment within the meaning of that Act, subject to this qualification, that where employed persons affected by this subsection are members of an approved society connected with the undertaking such financial arrangements between the society, the reserve suspense fund, and such superannuation fund as aforesaid as may be provided by a scheme approved by the National Health Insurance Joint Committee shall be carried into effect:

Provided that the Minister shall not give a certificate unless he is satisfied that, if the certificate is given, proviso (*b*) or proviso (*c*) to subsection (1) of this section would apply to the case.

(3) Where the contributions are payable in respect of an employed person they shall be payable partly by the employer and partly by the employed person, or wholly by the employer, as provided in the Part of the First Schedule to this Act applicable to the case, and where the contributions are payable by a voluntary contributor they shall be paid wholly by him.

Collection of contributions.

**10.**—(1) The contributions by or in respect of an insured person and in respect of an exempt person payable under this Act and under the Insurance Act shall be paid as one contribution under the Insurance Act, and (subject to such modifications and adaptations as may be prescribed) the contributions payable under this Act in respect of a person in an excepted employment or of a person who has attained the age of sixty-five shall be paid as if they were contributions under the Insurance Act, and (subject as aforesaid) all statutory provisions relating to the payment and collection of contributions under the Insurance Act, including (but without prejudice to the generality of the foregoing enactment) the provisions with respect to offences and civil proceedings in relation to contributions, with respect to priority of the claims for contributions, and with respect to the powers of inspectors, and the provisions of section thirty-one of the Unemployment Insurance Act, 1920, shall have effect accordingly.

10 & 11 Geo. 5. c. 30.

(2) Save as otherwise expressly provided by this Act, all sums collected on account of contributions under this Act shall be carried to the pensions account hereinafter constituted.

Financial provisions.

**11.**—(1) For the purposes of this Act, there shall be opened, in accordance with directions of the Treasury, an account to be called the pensions account, to which shall be carried all contributions under this Act, and out of which shall be met all pensions (including additional allowances) which are payable under this Act:

Provided that an old age pension under the Old Age Pensions Acts, 1908 to 1924, which is payable by virtue of this Act shall not for the purposes of this section be deemed to be a pension payable under this Act but shall be payable out of moneys provided by Parliament in manner provided by those Acts.

(2) Any sums standing to the credit of the pensions account which are not required to meet expenditure shall from time to time be paid over to the Treasury and by them credited to an account to be called the treasury pensions account.

(3) There shall also be paid out of moneys provided by Parliament into the treasury pensions account for the year ending the thirty-first day of March, nineteen hundred and twenty-seven, and for each of the next nine succeeding years the sum of four million pounds, and thereafter such sums as Parliament may determine.

(4) Any sums standing to the credit of the treasury pensions account may from time to time be invested in such manner as the Treasury may direct, and any interest received from such investments shall be credited to that account.

(5) If at any time it is shown to the Treasury that the sums in the pensions account are insufficient to meet the liabilities to be met thereout, the Treasury may out of the treasury pensions account issue to the pensions account any sums required for the purpose of discharging those liabilities.

(6) The pensions account and the treasury pensions account shall be annually examined by the Comptroller and Auditor General, and shall, together with his report thereon, be laid annually before Parliament.

Administrative expenses.

**12.** Any expenses incurred in the administration of this Act, to such extent as may be sanctioned by the Treasury, shall be paid out of moneys provided by Parliament:

Provided that such sums as the Treasury may direct shall be paid from the pensions account and shall, in accordance with regulations made by the Treasury, be applied as an appropriation in aid of the moneys provided by Parliament for such expenses.

*Special Classes of Insured Persons.*

Voluntary contributors.

**13.**—(1) Any person, other than a married woman, who, having been at any time continuously insured, whether as an employed contributor or as a voluntary contributor, for a period of one hundred and four weeks, and having had one hundred and four contributions paid by or in respect of him, has ceased to be an insured person before the commencement of this Act may, on giving notice in that behalf within the prescribed time and in the prescribed manner, become a voluntary contributor under the Insurance Act.

(2) Any person who is at the commencement of this Act insured as a voluntary contributor, unless before the prescribed date and in the prescribed manner he gives notice to the contrary, shall cease as from that date to be entitled to pay contributions as a voluntary contributor, and as from that date shall be deemed not to be an insured person for the purposes of this Act:

Provided that, in the case of a person who by virtue of this subsection ceases to be entitled to pay contributions as a voluntary contributor, subsections (2) and (3) of section three of the Insurance Act shall have effect as if twenty-four months were therein substituted for twelve months.

(3) Where an exempt person ceases or has ceased to be employed within the meaning of the Insurance Act, or where a person employed in an excepted employment ceases or has ceased to be so employed, he may, in the circumstances and subject to the provisions hereinafter contained, become a voluntary contributor under the Insurance Act.

(4) Where an uninsured man marries an insured woman by or in respect of whom one hundred and four contributions have been paid under this Act, he may if he

gives notice within the prescribed time after the marriage and in the prescribed manner become a voluntary contributor under the Insurance Act.

(5) Where the number of contributions calculated in the prescribed manner paid, or deemed in accordance with regulations under this Act to have been paid, for any contribution year (whether paid within that year or within such period after the expiration of that year as may be prescribed) by a person insured as a voluntary contributor is less than thirty-nine, or where the number of such contributions so paid or deemed to have been paid for any two consecutive contribution years represents on the average less than forty-five contributions in respect of each of those years, that person shall, as from the expiration of the prescribed period, cease to be entitled to pay contributions as a voluntary contributor, and as from that date shall be deemed not to be insured for the purposes of this Act:

Provided that, where a person had on attaining the age of sixty in the case of a man, or fifty-five in the case of a woman, been continuously insured for a period of ten years, or since the fifteenth day of July, nineteen hundred and twelve (whichever period is the shorter), this subsection shall apply as if for references to thirty-nine contributions and forty-five contributions there were respectively substituted references to twenty contributions and twenty-six contributions.

For the purposes of this subsection, "contribution year" means a contribution year terminating after the commencement of this Act.

(6) Where a person is in receipt of a pension payable by the Minister of Pensions, the Minister of Pensions may, with the consent of the pensioner, notwithstanding anything in any Act, Royal Warrant, Order in Council, or order, pay any contributions payable by the pensioner as a voluntary contributor, and deduct the amount so paid on his behalf from the pension payable to him.

Exempt persons.

**14.**—(1) Contributions under this Act shall be payable in respect of every exempt person within the meaning of the Insurance Act.

(2) Every exempt person, being a man, shall, for the purposes of this Act relating to widows' pensions and orphans' pensions, but not for any other purpose,

be deemed to be an insured person, and shall for those purposes, but not for any other purpose, be deemed to continue to be so insured during any period during which he may by virtue of section twelve of the Insurance Act be entitled to medical benefit.

(3) Where before the commencement of this Act contributions under the Insurance Act or any Act repealed thereby have been paid in respect of an exempt person, then, for such of the purposes of this Act as may be prescribed, such contributions shall be treated as if they were contributions in respect of the insurance of that person, and any period during which that person was an exempt person or entitled to medical benefit shall be treated as a period of insurance.

(4) Where an exempt person by whom a certificate of exemption is surrendered is at the date of the surrender of the age of forty-five or upwards, the provisions of this Act relating to old age pensions thereunder shall apply in the case of that person with such modifications as may be prescribed.

(5) Where any exempt person, being a man in respect of whom not less than one hundred and four contributions have been paid, ceases, or has before the commencement of this Act ceased, to be employed in an employment within the meaning of the Insurance Act, he may, on giving notice in that behalf within the prescribed time and in the prescribed manner, become a voluntary contributor under the Insurance Act:

Provided that, if at the date of so becoming a voluntary contributor such person is of the age of forty-five or upwards, the provisions of this Act relating to old age pensions thereunder shall apply in the case of that person with such modifications as may be prescribed.

Persons employed in excepted employments.

**15.**—(1) Subject to the provisions of this Act, contributions under this Act shall be payable in respect of persons employed in an employment which is an excepted employment to which paragraph (iv) of subsection (1) of section nine of this Act applies.

(2) For the purposes of this Act persons employed in any such excepted employment as aforesaid in respect of whom contributions are paid under this Act shall be deemed to be insured as follows:—

(*a*) men in respect of whom contributions are so payable at the ordinary rates shall be deemed to

be insured for the purposes of this Act relating to widows' pensions, orphans' pensions, and old age pensions;

(*b*) women in respect of whom contributions are so payable at the ordinary rates shall be deemed to be insured for the purposes of this Act relating to orphans' pensions and old age pensions;

(*c*) men in respect of whom contributions are so payable at the rates mentioned in Part IV. of the First Schedule to this Act shall be deemed to be insured for the purposes of this Act relating to widows' pensions and orphans' pensions;

(*d*) women in respect of whom contributions are so payable at the rates mentioned in Part IV. of the First Schedule to this Act shall be deemed to be insured for the purposes of this Act relating to orphans' pensions.

(3) The provisions of the Insurance Act relating to the continuous insurance of persons ceasing to be employed shall, for the purposes of this Act, apply, subject to such modifications as may be prescribed, to persons who under this section are deemed to be insured, and where such a person as aforesaid is the person in respect of whose insurance a widows' or orphans' pension is payable, of the statutory conditions to be complied with, condition (*b*) shall not apply.

(4) Where at or within the prescribed period before the commencement of this Act a person is or was employed in an excepted employment to which this section applies, then, for such of the purposes of this Act as may be prescribed, contributions shall be deemed to have been paid in respect of him for each week before the commencement of this Act during which he was continuously so employed, and every such week shall be deemed to be a week which has elapsed since the date of his entry into insurance.

(5) Where any person who has been employed in an excepted employment to which this section applies (not being a married woman or a person in respect of whom no contributions under this Act were, or would had he continued to be so employed after the commencement of this Act have been, payable whilst he was so employed) ceases or has before the commencement of this Act ceased

to be so employed, he may, subject to the prescribed conditions, become a voluntary contributor under the Insurance Act.

(6) Where a person is employed in an employment which is an excepted employment by virtue of paragraph (*k*) of Part II. of the First Schedule to the Insurance Act (which relates to employment otherwise than by way of manual labour and at a rate of remuneration exceeding in value two hundred and fifty pounds a year), he shall, for the purposes of this Act, be treated as employed in an employment which is an excepted employment by virtue of that paragraph and not in an employment which is an excepted employment by virtue of a certificate given under any other paragraph of the same Part of the same Schedule, notwithstanding that the employment in which he is engaged is an employment which is an excepted employment also by virtue of such a certificate, and his employment shall not be deemed to be an excepted employment to which this section applies.

(7) Where a person who has been employed in an excepted employment to which this section applies has, on retirement from such employment whether before or after the commencement of this Act, been granted a superannuation allowance, then—

(*a*) if he was a person in respect of whom no contributions were, or would had he continued to be so employed after the commencement of this Act have been, payable under this Act whilst he was so employed, he shall not be capable of becoming an insured person for the purposes of this Act or of the Insurance Act or of the Unemployment Insurance Acts, 1920 to 1924, and shall not be entitled to any benefits under any of those Acts, but for the purpose of the provisions of those Acts relating to contributions, he shall as from the appointed day be treated as if he were a person who had attained the age of sixty-five;

(*b*) if he was a person in respect of whom contributions were, or would had he continued to be so employed after the commencement of this Act have been, payable under this Act at the rates mentioned in Part IV. of the First Schedule to this Act, the provisions of this Act relating

to old age pensions payable thereunder, or by virtue thereof, shall apply in the case of that person in such circumstances only, and subject to such modifications as may be prescribed:

Provided that, where a person to whom paragraph (*a*) would apply is a person who at the commencement of this Act was an insured or exempt person, he shall be treated as if he were a person to whom paragraph (*a*) did not, but paragraph (*b*) did, apply.

Where a person has been employed in an employment which would have been an excepted employment to which this section applies had the rate of his remuneration not exceeded two hundred and fifty pounds a year, this subsection shall apply to him in manner provided in the Second Schedule to this Act.

(8) Section eighty-nine of the Insurance Act (which provides for the determination by the Minister of questions relating to employment) shall apply for the purposes of this Act to any question whether any employment or class of employment is an excepted employment, or any particular class of excepted employment, to which this section applies, or whether a person was or is a person employed in such an excepted employment, and to any question as to who is or was the employer of a person employed in any such excepted employment, in like manner as if the question related to an employment within the meaning of the Insurance Act.

(9) This section shall, so far as it applies to any period whilst Part I. of the National Insurance Act, 1911, was in force, have effect as if for references to a particular paragraph of Part II. of the First Schedule to the Insurance Act there were substituted references to the corresponding paragraph of Part II. of the First Schedule to the National Insurance Act, 1911; and shall, so far as it applies to any period before the thirtieth day of June, nineteen hundred and nineteen, have effect as if for references to two hundred and fifty pounds a year there were substituted references to one hundred and sixty pounds a year.

1 & 2 Geo. 5. c. 55.

Application of Act to persons in service of Crown.

**16.**—(1) The provisions of this Act shall apply to persons in the service of the Crown in the same manner and to the same extent as the Insurance Act.

(2) There shall be paid out of moneys provided by Parliament for Navy, Army and Air Force services by

the Admiralty, Army Council and Air Council respectively in respect of every seaman, marine, soldier or airman, for each contribution week or part of a contribution week for which he receives pay, a contribution for the purposes of this Act at the ordinary rate.

(3) The Admiralty, the Army Council and the Air Council respectively may recover by deduction from the pay of seamen, marines, soldiers and airmen part of the contributions paid under this section to such amount, not exceeding one-half thereof, as they may think fit.

Provisions as to seamen.

**17.**—(1) The Minister, after consultation with the Board of Trade, may make a special order modifying in such manner as he thinks proper the provisions of this Act (but not so as to increase the rates of contributions or to decrease the rates of pension) in their application to masters and seamen, and in particular (but without prejudice to the generality of the foregoing provisions) any such order may provide for determining in the case of a ship registered in Northern Ireland the owner of which resides or has his principal place of business in Great Britain, or of a ship registered in Great Britain the owner of which resides or has his principal place of business in Northern Ireland, whether or not persons employed on the ship are to be treated as being insured for the purposes of this Act.

(2) The provisions of sections ninety-four and ninety-five of the Insurance Act (which relate to the procedure for the making of special orders) shall apply in the case of special orders made under this section.

*Special provisions applicable to widows and orphans whose husbands and parents have died before the commencement of this Act, and to persons who have attained the age of seventy.*

Widows and orphans pensions when husband or parent died before the commencement of Act.

**18.** A widow's pension shall be payable to the widow of a man who died before the commencement of this Act, and an orphan's pension shall be payable in respect of the orphan child of a man or widow who died before the commencement of this Act, in the like circumstances and under the like conditions as if the husband, father, or mother, as the case may be, had died immediately after the commencement of this Act and had then been under the age of seventy; and the

foregoing provisions of this Act relating to such pensions shall apply accordingly, subject however to the following modifications:—

(*a*) the deceased husband, father, or mother shall be deemed to have been insured at the time of his or her death, for the purpose of this Act, if he or she would have been or would have been deemed to have been so insured by virtue of any employment if this Act had been then in force, and the decision of the Minister on any question whether a person would have been so insured or deemed to have been so insured shall be final and conclusive;

(*b*) the deceased husband, father or mother, as the case may be, if deemed to be so insured, shall be deemed to be the person in respect of whose insurance the pension is payable;

(*c*) a widow's pension shall be payable only if the widow has not remarried before the commencement of this Act, and if at the commencement of this Act there is living at least one child of the marriage, or of any former marriage of either parent, under the age of fourteen: Provided that if no widow's pension is payable by reason of there being no child under the age of fourteen, but there is a child over the age of fourteen in respect of whom an additional allowance would be payable if the widow were entitled to a widow's pension, an additional allowance shall be payable in respect of that child;

(*d*) a widow's pension shall cease to be payable at the expiration of six months from the date on which the pension ceases to include any additional allowance as part thereof or on which the youngest child attains the age of fourteen, whichever is the earlier;

(*e*) of the statutory conditions required to be complied with, condition (*b*) shall not apply, and condition (*a*) shall be deemed to have been complied with if the Minister, whose decision shall be final and conclusive, is satisfied that the normal occupation of the person in respect of whose insurance the pension is payable was

at the time of his or her death such as would have been employment in respect of which contributions would have been payable under this Act if this Act had been then in force.

Pensions of widows and orphans of men over seventy at commence- of Act.

**19.**—(1) A widow's pension shall be payable to the widow of a man who dies after the commencement of this Act and who had attained the age of seventy before the commencement of this Act, if at the time of his death her husband was, or would had he survived the second day of July, nineteen hundred and twenty-six, have been, entitled to an old age pension under the Old Age Pensions Acts, 1908 to 1924, by virtue of the next succeeding section, and if there is living at the time of his death at least one child of the marriage, or of any former marriage of either parent, under the age of fourteen:

Provided that—

(*a*) if no widow's pension is payable by reason of there being no child under the age of fourteen, but there is a child over the age of fourteen in respect of whom an additional allowance would be payable if the widow were entitled to a widow's pension, an additional allowance shall be payable in respect of that child; and

(*b*) such a pension shall cease to be payable at the expiration of six months from the date on which the pension ceases to include any additional allowance as part thereof or on which the youngest child attains the age of fourteen, whichever is the earlier.

(2) An orphan's pension shall be payable in respect of the orphan child of a man who had attained the age of seventy before the commencement of this Act if at the time of his death he was, or would had he survived the second day of July, nineteen hundred and twenty-six, have been, entitled to an old age pension under the Old Age Pensions Acts, 1908 to 1924, by virtue of the next succeeding section.

(3) In the case of a man who was an exempt person or a person employed in an excepted employment, this section shall apply subject to the prescribed modifications.

Persons over seventy entitled to

**20.**—(1) As from the second day of July, nineteen hundred and twenty-six, the following provisions shall

old age pensions.

have effect, that is to say, a person shall be entitled to an old age pension under the Old Age Pensions Acts, 1908 to 1924—

(*a*) if being a man or a woman who has attained the age of seventy before the said second day of July he or she is at that date an insured person, and has been continuously insured since the twenty-ninth day of April, nineteen hundred and twenty-five; or

(*b*) if being a man or woman who has attained the age of seventy before the appointed day he or she is at the time of attaining that age an insured person, and has been continuously insured since the twenty-ninth day of April, nineteen hundred and twenty-five; or

(*c*) if being a woman who has attained the age of seventy she is the wife or widow of a man, who is or has been entitled to an old age pension under the Old Age Pensions Acts, 1908 to 1924, by virtue of paragraph (*a*) or paragraph (*b*) of this subsection; or

(*d*) if being a woman who has attained the age of seventy she is the wife of a man who is entitled to an old age pension under this Act; or

(*e*) if, being a widow who before the death of her husband had attained the age of seventy, she would have been entitled to a widow's pension if she had not then attained that age:

Provided that the wife or widow of a man who had attained the age of sixty at the date of the marriage shall not, if the marriage takes place after the twenty-ninth day of April, nineteen hundred and twenty-five, be entitled to an old age pension under the Old Age Pensions Acts, 1908 to 1924, by virtue of paragraph (*c*) or (*d*) of this subsection unless she was immediately before the marriage in receipt of a widows' pension, or unless or until five years have elapsed since the date of the marriage.

(2) An old age pension under the Old Age Pensions Acts, 1908 to 1924, to which a person becomes entitled by virtue of this section shall be payable notwithstanding that any of the statutory conditions under those Acts as to means, residence, or nationality is not satisfied in the case of that person, and shall be at the rate of ten

shillings a week notwithstanding that the yearly means of that person exceed the amount entitling him or her to a pension under those Acts at that rate.

*Disqualifications, &c.*

Disqualifications.

**21.**—(1) A woman shall not be entitled to, and shall be disqualified from receiving payment of, a widow's pension (other than such part thereof as is payable by way of an additional allowance), if and so long as she and any person are cohabiting together as man and wife.

(2) Subject to the foregoing provisions of this section, the provisions of the Old Age Pensions Acts, 1908 to 1924, with respect to the disqualifications for the receipt of a pension under those Acts (which provisions are set out with necessary adaptations in the Third Schedule to this Act), shall as so set out have effect as if re-enacted in this Act.

For the purposes of those provisions, a child in respect of whom an additional allowance is payable as part of a widow's pension, or in respect of whom an orphan's pension is payable, shall be treated as if he were in receipt of a pension; but, save as aforesaid, nothing in those provisions shall affect the right to payment of an additional allowance or orphan's pension in respect of a child.

Residential qualification of pensioners, &c.

**22.** A sum shall not be paid on account of a pension—

(*a*) to or in respect of any person while that person is absent from Great Britain; or

(*b*) if payment of the sum is not obtained within three months after the date on which it has become payable.

Residential qualification of persons in respect of whose insurance pensions are payable.

**23.**—(1) Subject as may be otherwise prescribed, a right to a pension shall not arise in respect of the insurance of any person, unless that person had—

(*a*) so far as relates to widows' pensions and orphans' pensions at the date of his death;

(*b*) so far as relates to old age pensions under or by virtue of this Act, at the date of attaining the age of sixty-five, or other the date at which apart from this section his right to the pension would have accrued;

been resident in Great Britain for a period of two years immediately prior to that date and unless

his last employment (excluding temporary employment) before that date was in Great Britain:

Provided that—

(i) in the case of a widow's or orphan's pension arising at the commencement of this Act the foregoing provisions of this section shall not apply, but a right to such a pension shall not arise unless the widow or child to or in respect of whom the pension would, apart from this section, have been payable has been resident in Great Britain for a period of two years immediately prior to the commencement of this Act or, in the case of a child under the age of two, since the date of birth;

(ii) this section shall not apply to a person who is entitled to an old age pension under or by virtue of this Act as being the wife or widow of a man who is or has been entitled to such a pension.

(2) This section subject as may be prescribed shall apply to all persons who are not British subjects in the same manner as it applies to British subjects.

(3) This section shall not apply to sailors, soldiers, and airmen insured under the provisions of this Act.

*Provisions against Double Pensions, &c.*

Provisions against double pensions.

**24.**—(1) A pension or an additional allowance under this Act shall not be payable to or in respect of any person to or in respect of whom a service dependants pension within the meaning of this Act is payable, except where such a pension is payable in respect of the service of the pensioner's son during the late war:

Provided that—

(i) regulations may be made by the Minister and the service pension authority concerned for excluding from the provisions of this subsection such service dependants pensions as may be prescribed, being service dependants pensions calculated with reference to the necessities of the pensioner, and such regulations may make special provision with reference to the administration of pensions under this Act payable in the case of persons entitled to such excluded pensions; and

(ii) where the amount of the service dependants pension is less than the amount of the pension, including additional allowances, if any, which would apart from this section have been payable under this Act, there shall be payable out of the pensions account to the service pension authority a sum equal to the difference between the said last-mentioned amount and the amount of the service dependants pension, and thereupon the service dependants pension shall be increased by that sum.

In calculating for the purposes of this subsection the amount of a service dependants pension—

(*a*) where the service dependants pension is payable to or in respect of a person being one of a married couple living together in the same house the husband and wife shall each be treated as in receipt of a pension of half the amount of such service dependants pension;

(*b*) where service dependants pensions are payable to or in respect of a widow and her children, the amount of the service dependants pension payable to the widow shall be treated as including the pensions payable in respect of her children.

(2) An orphan's pension shall not be payable in respect of a child in respect of whom an additional allowance is payable.

(3) Not more than one additional allowance, or one orphan's pension, shall be payable in respect of any one child.

(4) Not more than one old age pension, whether under this Act or the Old Age Pensions Acts, 1908 to 1924, shall be payable to any one person: 8 Edw. 7. c. 40.

Provided that the right to a pension under this Act shall not affect any right to, or to the continuance of, a pension payable under the Old Age Pensions Acts, 1908 to 1924, as applied to blind persons by the Blind Persons Act, 1920. 10 & 11 Geo. 5. c. 49.

(5) A woman entitled to a widow's pension shall not also be entitled to an old age pension.

**25.** Where the death of an insured person was caused, whether before or after the commencement of this Act, by an injury sustained on or after the first day Provisions where both additional

allowance or orphan's pension and compensation under the Workmen's Compensation Act are payable. 6 Edw. 7. c. 58.

of January, nineteen hundred and twenty-four, in respect of which compensation has been awarded or agreed under the Workmen's Compensation Act, 1906, as amended by any subsequent enactment, or under any scheme certified thereunder, an additional allowance or an orphan's pension in respect of the insurance of that person shall cease to be payable as from the date on which the Minister receives notice of the award or agreement, or such earlier date as may be prescribed, and for the purpose of notifying such awards and agreements the registrar of the county court shall in any case where compensation has been awarded or agreed as aforesaid in respect of an injury from which death resulted, send within the prescribed time to the Minister such particulars as may be prescribed of the memorandum recorded in the case with respect to the compensation:

Provided that, where the weekly value calculated in the prescribed manner of the sum awarded or agreed as aforesaid in respect of a child in respect of whom an additional allowance or orphan's pension would but for this section have been payable is less than the amount of that allowance or pension, a sum equal to the deficiency shall be payable as from the date aforesaid by way of additional allowance or orphan's pension, as the case may be.

Provisions where pension granted to person in receipt of outdoor relief.

**26.**—(1) In any case in which a poor law authority has granted outdoor relief to any person, being a person not in receipt of a pension, and either—

(*a*) such relief would not have been granted if the person had then been in receipt of a pension; or

(*b*) such relief is in excess of the amount which would have been granted to that person if he had been in receipt of a pension;

the Minister may, if a claim by that person for a pension in respect of any part of the period during which relief has been so granted is subsequently allowed, treat the pension so allowed as reduced for the purposes of this Act by an amount not exceeding such an amount as the authority certify to have been so paid or so paid in excess, as the case may be, in respect of the period for which the pension was allowed, and the Minister may pay to that authority the amount by which the pension is treated as having been reduced as aforesaid, so,

however, that the total amount to be so paid by the Minister shall not exceed the amount of the pension in respect of the period aforesaid.

(2) This section shall extend to the case of a child in respect of whom an additional allowance or orphan's pension is not being paid in like manner as to the case of a person not in receipt of a pension, and shall apply in such a case subject to the necessary modifications.

Power to modify existing superannuation schemes.

**27.**—(1) Where at the commencement of this Act any pension scheme has been established otherwise than by Act of Parliament (including a scheme established under powers conferred by Act of Parliament), whereby benefits are provided corresponding to any of the benefits secured by this Act, and the pension authority are desirous, in consequence of the passing of this Act, to modify the scheme as respects insured persons who may become entitled to corresponding benefits under or by virtue of this Act, but under the instrument regulating the scheme are unable to do so either absolutely or without undue delay or expense, the pension authority may submit to the Chief Registrar of Friendly Societies proposals for conferring on them the powers necessary for the purpose, and the Chief Registrar may confirm the proposals, subject to such conditions, if any, as he thinks fit to impose, and thereupon, subject to compliance with such conditions, if any, the pension authority may modify the scheme as respects such persons as aforesaid by reducing the amount of the benefits payable under the scheme and the contributions payable thereunder, and by making such other alterations in the scheme as may appear to them expedient in consequence of such reductions:

Provided that, where the pension authority is a local authority this subsection shall have effect as if for references to the Chief Registrar of Friendly Societies there were substituted references to the Minister.

(2) Where at the commencement of this Act any pension scheme has been established by Act of Parliament whereby benefits are provided corresponding to any of the benefits secured by this Act the pension authority may submit to the Chief Registrar of Friendly Societies an amending scheme for reducing, as respects insured persons who may become entitled to corresponding benefits under or by virtue of this Act, the benefits payable under the scheme, and the contributions payable

thereunder, and may make such other alterations in the scheme as appear to them expedient in consequence of such reductions; and the Chief Registrar, after giving persons affected by the proposed scheme or their representatives the opportunity of objecting, and after considering any such objection, may confirm the scheme; and on any such amending scheme being so confirmed the Act by which the scheme is established shall have effect subject to the provisions of the amending scheme:

Provided that, where the pension authority is a local authority this subsection shall have effect as if for references to the Chief Registrar of Friendly Societies there were substituted references to the Minister.

(3) Where by any public general Act in force at the commencement of this Act provision is made for the establishment of a general scheme of superannuation whereby persons in return for contributions payable thereunder become entitled to benefits corresponding to any of the benefits secured by this Act, any local authority or combination of local authorities which are at the commencement of this Act or have hereafter become or propose to become a pension authority to which the first-mentioned Act applies may submit to the Minister a scheme modifying the first-mentioned Act so far as it relates to insured persons who may become entitled to any of the benefits secured by this Act and who may also become entitled to receive from the pension authority corresponding benefits under the first-mentioned Act—

(*a*) by reducing the superannuation allowance payable under the first-mentioned Act to any such person by such amount as may be specified in the scheme, not exceeding the amount of the pension to which he and, if he is married, his wife may become entitled under or by virtue of this Act;

(*b*) by reducing the contributions payable under the first-mentioned Act by any such person by such amount as may be specified in the scheme;

and the scheme may make such financial adjustments (including any alteration in any annual charge payable by the pension authority which may have been fixed under the first-mentioned Act) as may be appropriate in the circumstances, and the Minister, after giving

persons affected by the proposed scheme or their representatives an opportunity of objecting, and, after considering any such objections, may confirm the scheme, and upon any such scheme being so confirmed the first-mentioned Act, in relation to the pension authority and such persons as aforesaid, shall have effect subject to the provisions of the scheme.

(4) No alteration in any particular scheme, or in any general scheme in its application to any particular pension authority shall be made by a scheme under this section which will prejudicially affect the solvency of the particular scheme, or of the general scheme in its application to that authority, or increase the liability of the person (if any) liable for the solvency thereof.

(5) The powers conferred on a pension authority by a scheme under this section may include power to pay on behalf of any person in receipt of a superannuation allowance from the pension authority any contribution under this Act or the Insurance Act payable by such person, and, if they think fit, to deduct the amount thereof from the superannuation allowance payable to him.

(6) This section shall not, nor shall any scheme thereunder, except in such cases and to such extent as may be prescribed affect the benefits of or contributions by any person employed in an employment which is an excepted employment within the meaning of section fifteen of this Act.

(7) For the purposes of this section the expression "local authority" means the council of any county or municipal or metropolitan borough or urban or rural district, and any board of guardians, and any other local authority within the meaning of the Local Loans Act, 1875, and the expression "pension authority" means any local authority or combination of local authorities or other body of persons administering a pension or superannuation scheme, and the expression "Act of Parliament" includes a Provisional Order confirmed by Act and an order having the effect of an Act. 38 & 39 Vict. c. 83.

*Administrative Provisions, &c.*

**28.**—(1) Subject to the provisions of this section, a pension shall, if a claim thereto is made before the expiration of one month after the date on which the claimant Date of commencement and

end of, and mode of paying pensions.

becomes entitled thereto, or, where the claimant becomes so entitled at the commencement of this Act or on the second day of July, nineteen hundred and twenty-six, or on the appointed day, before the expiration of two months after that date, commence to accrue on the date on which the claimant becomes so entitled, and if no claim is made before the expiration of the period aforesaid shall commence to accrue on the date on which the claim thereto is made:

Provided that, where it is shown in any such case as may be prescribed that failure to make a claim within the time above limited was due to circumstances over which the claimant had no control, the pension shall commence to accrue on the date on which the claimant became entitled thereto.

(2) A pension shall, subject to any directions of the Minister in special cases, be paid weekly in advance in such manner and subject to such conditions as to identification or otherwise as the Minister with the approval of the Treasury may direct.

(3) Where the date on which a pension would begin to accrue under this Act is a day in the week other than that prescribed as the day in the week on which the weekly payments on account of pensions of that class are to be made, the pension shall not begin to accrue until such prescribed day in the week occurring next after the first-mentioned date.

(4) Where the date on which a pension or additional allowance under this Act would cease to be payable is a day in the week other than that immediately preceding the day in the week so prescribed as aforesaid, the pension or allowance shall continue payable in respect of the days in the week up to but not including such prescribed day:

Provided that, where a pension would cease to be payable by reason of the person entitled thereto attaining the age of seventy, the pension shall, if the day in the week on which the person attains the age of seventy is not the day in the week on which payments on account of old age pensions under the Old Age Pensions Acts, 1908 to 1924, are payable, continue to be payable in respect of the days in the week up to, but not including, the day in the week on which such payments are payable.

(5) Where a widow's pension is by this Act limited to expire on the expiration of six months after the pension ceases to include any additional allowance as part thereof, nothing in this section shall be construed as affecting the duration of the pension, notwithstanding that by virtue of this section no payments on account of any additional allowance are payable, but in any such case the widow's pension shall, for the purpose aforesaid, be deemed to include an additional allowance as part thereof up to the day when but for the provisions of this section it would have included such additional allowance.

Claims and appeals.

**29.**—(1) Subject to the provisions of this Act and in accordance with any regulations made thereunder, all claims for or in respect of pensions shall be made to the Minister.

(2) If any person is dissatisfied by the award or decision of the Minister in respect of any pension, the question shall on application being made within the prescribed time be referred to one or more referees selected in accordance with regulations made by the National Health Insurance Joint Committee from a panel of referees to be appointed in accordance with regulations so made, and the decision of the referee or referees shall be final and conclusive:

Provided that nothing in this subsection shall be construed as requiring such a reference to be made as respects any matter as to which the decision of the Minister is by this Act made final and conclusive, or any matter which by this Act is a matter within the discretion of the Minister, or a matter which the Minister has power to determine under section eighty-nine of the Insurance Act as applied by this Act.

(3) The Minister may, on new facts being brought to his notice, revise any award or decision given by him under this Act, and the provisions of this Act as to references shall apply to such revised award or decision in the same manner as they apply as respects an original award or decision:

Provided that the Minister shall not so revise an award or decision if it has been referred to the referees, or if the time for making an application for such a reference has not expired, unless the person on whose application the reference was made, or who is entitled to apply for a reference, as the case may be, consents.

Regulations by Minister.

**30.**—(1) The Minister, in conjunction with the Treasury so far as relates to matters with respect to which the Treasury so direct, and in conjunction with the Postmaster-General so far as relates to the Post Office, may make regulations generally for carrying this Act into effect, and in particular—

(*a*) for prescribing the manner in which claims to pensions may be made, and for enabling pensions to be paid through the Post Office; and

(*b*) for prescribing the procedure to be followed on references under this Act, and for applying for the purposes of any such reference any of the provisions of the Arbitration Act, 1889, and for excluding the application of any of the other provisions of that Act; and

52 & 53 Vict. c. 49.

(*c*) for authorising in such cases as may be prescribed the payment of any sum by way of pension during any period not exceeding six weeks intervening between the making of any claim or the referring of any question and the final determination of the claim or question; and

(*d*) for providing for the apportionment as between the appropriate national health insurance fund and the pensions account of sums received on account of contributions; and

(*e*) for enabling, in such cases as may be prescribed, contributions in respect of employed persons which have not been paid on the due dates to be treated as having been so paid for the purpose of a widow's or an orphan's pension; and

(*f*) for enabling a person to be appointed to exercise on behalf of any claimant or person entitled to or in receipt of a pension who is, by reason of any mental or other incapacity, unable to act, any right to which that claimant or person may be entitled under this Act, and to authorise any person so appointed to receive on behalf and for the benefit of the claimant or person any pension; and

(*g*) for applying with the necessary modifications to deposit contributors the provisions of the National Health Insurance (Prolongation of Insurance) Act, 1921; and 11 & 12 Geo. 5. c. 66.

(*h*) for prescribing anything which under this Act is to be prescribed.

(2) Regulations under this Act may also be made providing that, subject to the prescribed conditions, section one of the National Health Insurance (Prolongation of Insurance) Act, 1921, shall apply, and shall be deemed always to have applied, in cases where condition (*b*) therein mentioned is not complied with, as if for that condition there were substituted the following condition, that is to say:

(*b*) that the approved society of which the insured person is a member is satisfied, or in the case of a dispute it is decided in manner provided by the Insurance Act, that during the prescribed period the insured person has, except when incapable of work by reason of some specific disease or some bodily or mental disablement, been available for but unable to obtain employment:

Provided that no person shall by virtue of any such regulation become entitled to any benefit under the Insurance Act in respect of any period before the commencement of this Act.

(3) Regulations made under this section shall be laid before both Houses of Parliament as soon as may be after they are made and shall have effect as if enacted in this Act: Provided that, if an address is presented to His Majesty by either House within the next subsequent twenty-one days on which that House has sat next after the regulation is laid before it, praying that the regulation may be annulled, His Majesty may by Order in Council annul the regulation, but without prejudice to the validity of anything previously done thereunder.

Regulations by Registrar-General.

**31.**—(1) Regulations made by the Registrar-General under the Births and Deaths Registration Acts, 1836 to 1901, may provide for the furnishing by Superintendent Registrars, Registrars of Births and Deaths, and Registrars of Marriages, subject to the payment of the prescribed

fee, of such information for the purposes of this Act, including copies of or extracts from the registers under their charge, as may be prescribed.

(2) The power given to the Minister, or to the Registrar-General with the consent of the Minister, by section forty-four of the Births and Deaths Registration Act, 1874, by order to alter from time to time all or any of the forms contained in the Schedules to the Births and Deaths Registration Act, 1836, as amended by any subsequent enactment, in such manner as may appear best for carrying into effect the Births and Deaths Registration Act, 1836, or to prescribe new forms for that purpose, shall include a power to alter the said forms or to prescribe new forms in such manner as may appear to them best adapted for carrying into effect any of the purposes of this Act.

37 & 38 Vict. c. 88.
6 & 7 Will. 4. c. 86.

(3) The provisions of section one hundred and one of the Insurance Act (which enable certificates of births, deaths and marriages to be obtained for the purposes of that Act on payment of a reduced fee) shall apply for the purpose of enabling certificates of births, deaths and marriages to be obtained for the purposes of this Act on payment of a fee of one shilling in each case.

Co-ordinating power of National Health Insurance Joint Committee.

**32.** The National Health Insurance Joint Committee shall exercise and perform such powers and duties of the Minister and the Scottish Board of Health under this Act, either alone or jointly with either of them, as may be prescribed by regulations of the Joint Committee:

Provided that for the purpose of the exercise of any powers under this Act the Minister of Labour for Northern Ireland shall not, nor shall his deputy, act as a member of the Joint Committee unless reciprocal arrangements are made with Northern Ireland under this Act, and are for the time being in force.

Provisions as to reciprocal arrangements with other parts of His Majesty's Dominions.

**33.**—(1) If provision is made by legislative enactment in any part of His Majesty's Dominions outside Great Britain for the establishment therein of any scheme of health insurance and of pensions substantially corresponding to those provided by virtue of the Insurance Act and this Act, the National Health Insurance Joint Committee may, with the consent of the

Treasury, make reciprocal arrangements with the authority administering such scheme whereby periods of insurance, contributions paid, and residence, in one country shall, for the purpose of qualification for pensions in the other country, be treated as if they had been periods of insurance, contributions paid, and residence, in that other country, and whereby pensions payable by one country shall be payable to persons whilst resident in the other country.

(2) Provision may be made by regulations under this Act for directing that this Act shall, in relation to or in connection with any persons affected by any arrangements made under this section, apply, subject to such modifications and adaptations as may be prescribed, and may make provision for any necessary financial adjustments.

(3) For the purposes of this section the expression "country," means Great Britain on the one hand, and any part of His Majesty's Dominions outside Great Britain which has made such provision as aforesaid on the other hand.

Pensions under Act to be inalienable.

**34.**—(1) Every assignment of or charge on, and every agreement to assign or charge, a pension shall be void, and on the bankruptcy of the person entitled to such a pension the pension shall not pass to any trustee or other person acting on account of the creditors.

(2) Any sums received by any person by way of a pension shall not be included in calculating his means for the purpose of section five of the Debtors Act, 1869. 32 & 33 Vict. c. 62.

Penalty for false statements and repayment of sums overpaid.

**35.**—(1) Any person who, for the purpose of obtaining or continuing a pension, either for himself or for any other person, or for the purpose of obtaining or continuing a pension for himself or for any other person at a higher rate than that appropriate to the case, knowingly makes any false statement or false representation, and any person who knowingly obtains payment of, or continues to receive, a pension which he is disqualified from receiving, shall be liable on summary conviction to imprisonment for a term not exceeding three months.

(2) If it is found at any time that a person has been in receipt of a pension during any period during which

he was not entitled thereto, or has been in receipt of a pension at a higher rate than that appropriate to the case, then, unless it is shown to the satisfaction of the Minister that the sum was received by the pensioner in good faith and without knowledge that he was not entitled thereto, he, or, in the case of his death, his personal representative, shall be liable to repay to the Minister any sums paid to him in respect of the pension during the period aforesaid, or, as the case may be, a sum representing the difference between a pension at the rate actually paid and a pension at the rate appropriate to the case.

(3) Any sum due to the Minister under this section may, without prejudice to the recovery thereof as a debt due to the Crown, be recovered by the Minister summarily as a civil debt, and proceedings for the summary recovery as a civil debt of any such sum may, notwithstanding anything in any Act to the contrary, be brought at any time within twelve months from the time when the matter complained of arose, or, where the complaint is in respect of a consecutive series of payments on account of pension, within twelve months from the date on which the last payment on account of pension was received.

(4) Where a person is liable under this section to repay to the Minister any sum received by way of pension, that sum may be recovered without prejudice to any other remedy, by means of deductions from any pension to which that person may thereafter be entitled.

(5) The provisions of this section shall apply with the necessary modifications in the case of a person to whom a pension or additional allowance is paid under any of the provisions of this Act for or for the benefit of any person.

Power to remove difficulties.

**36.** If in any respect any difficulty arises in bringing into operation this Act, the Minister, with the consent of the Treasury, may by order do anything which appears to be necessary or expedient for bringing this Act into operation, and any such order may modify the provisions of this Act so far as may appear necessary or expedient for carrying the order into effect:

Provided that the powers conferred by this section shall not be exercised after the thirty-first day of December, nineteen hundred and twenty-six.

*Amendments of Insurance Act, Unemployment Insurance Acts and Old Age Pensions Acts.*

Termination of certain benefits and contributions of persons over sixty-five.

**37.**—(1) As from the appointed day the right to sickness and disablement benefit under the Insurance Act and to unemployment benefit under the Unemployment Insurance Acts, 1920 to 1924, shall cease if the person insured thereunder has then attained or on his attaining the age of sixty-five.

(2) As from the appointed day no contributions under the Insurance Act shall be payable by or in respect of a person who has attained the age of sixty-five.

Consequential amendments of Insurance Act.

**38.**—(1) The amendments set out in Part I. of the Fourth Schedule to this Act, being amendments consequential upon the provisions of this Act, shall have effect with respect to—

(*a*) the rates of contribution payable under the Insurance Act;

(*b*) the sums to be retained out of each weekly contribution by the Minister under the provisions of subsection (1) of section sixty-seven of the Insurance Act;

(*c*) the sums to be applied by the Minister out of the sums so retained towards discharging the liabilities of the Minister to approved societies in respect of reserve values.

(2) The amendments specified in the second column of Part II. and Part III. of the Fourth Schedule to this Act, which are consequential on other provisions contained in this Act, shall be made in the provisions of the Insurance Act which are specified in the first column of that Schedule:

Provided that of the amendments so specified, those contained in Part III. of the said Schedule shall not come into force until the appointed day.

(3) Regulations made under subsection (3) of section sixty-six of the Insurance Act (which relates to crediting, variation, and cancellation of reserve values) may provide for the reduction or cancellation of reserve values consequential upon the termination by reason of the provisions of this Act of contributions before the

age of seventy years, and the curtailment thereunder of the liabilities of approved societies, and for any matters which may appear necessary or expedient by reason of such reduction or cancellation:

Provided that such reduction or cancellation of reserve values shall not have effect for the purposes of section one hundred and twenty-two of the Insurance Act unless and until reciprocal arrangements with Northern Ireland are made under this Act.

(4) An employed contributor who had, on attaining the age of sixty in the case of a man, or fifty-five in the case of a woman, been continuously insured for a period of ten years or since the fifteenth day of July, nineteen hundred and twelve (whichever period is the shorter), shall be entitled within such time and subject to such conditions as may be prescribed to pay contributions in respect of any period of unemployment as if he were a voluntary contributor.

(5) Where an employer in England or Wales has failed or neglected to pay any contribution which, under the Insurance Act as amended by this Act, he is liable to pay in respect of any person, the amount which he has so failed or neglected to pay shall be a debt due from him to the Minister and may be recovered by the Minister summarily as a civil debt, if proceedings for the purpose are instituted within three years from the date when the contribution becomes due:

Provided that the powers hereby conferred on the Minister shall be deemed to be in supplement of and not in derogation of any powers conferred on the Minister or on insured persons by any other provisions of the Insurance Act.

(6) Any sum ordered to be paid to the Minister under the provisions of subsection (2) of section ninety-six or of subsection (2) of section ninety-seven of the Insurance Act by an employer in England or Wales who has been convicted of failing or neglecting to pay any contribution in respect of a person shall be recoverable as a penalty and not otherwise.

(7) The provisions of subsection (3) of section ninety-seven of the Insurance Act (which relate to proceedings by inspectors) shall extend to proceedings for the recovery of contributions summarily as a civil debt under this section.

(8) There shall be included among the returns which an approved society may be required to make under subsection (1) of section seventy-two of the Insurance Act such particulars with respect to the insurance of any person who is or was a member of the society as the Minister may require for the purposes of this Act, and the provisions of the said section shall apply accordingly, and there shall be paid to a society returning such particulars such sums as may, subject to the consent of the Treasury, be prescribed, and the sums so paid shall be treated as part of the administrative expenses of this Act.

(9) Any certificate of exemption granted under the National Health Insurance Act, 1919, shall, as from the commencement of this Act cease to have effect, and the words " and any certificate of exemption granted " under the National Health Insurance Act, 1919, may " be renewed as if that Act had not been repealed " in proviso (*a*) to section one hundred and thirty-three of the Insurance Act are hereby repealed. 9 & 10 Geo. 5. c. 36.

Consequential amendments of Unemployment Insurance Acts.

**39.**—(1) As from the appointed day contributions shall be payable in respect of every person who is an employed person within the meaning of the Unemployment Insurance Acts, 1920 to 1924, who is of the age of sixty-five or upwards, in the manner and at the rates applicable to exempt persons within the meaning of those Acts, and, subject to such modifications and adaptations as may be prescribed by the Minister of Labour after consultation with the Minister of Health, such contributions shall be paid as if they were contributions under the said Acts, and all statutory provisions relating to the payment and collection of contributions under the said Acts, including provisions with respect to offences and civil proceedings in relation to contributions, with respect to priority of claims for contributions, and with respect to the powers of inspectors, shall have effect accordingly.

Save as aforesaid, no contributions under the said Acts shall, after the appointed day, be payable in respect of persons who have attained the age of sixty-five.

(2) All sums collected on account of contributions under the preceding subsection shall be paid into the Unemployment Fund established under the said Acts.

(3) In the case of persons to whom a special scheme made or approved under the Unemployment Insurance Acts, 1920 to 1924, applies, the provisions of this Act relating to unemployment insurance shall have effect subject to the following modifications, that is to say, references to liability to be insured and contributions under the said Acts, to unemployment benefit, and to the unemployment fund shall be respectively construed as references to liability to be insured, and to contributions and benefit, under the special scheme, and to the fund constituted thereunder.

Amendment of Old Age Pensions Acts in relation to persons in receipt of pensions.

**40.** Any person who is at the date on which he or she attains the age of seventy entitled to an old age pension or a widow's pension under this Act, or would have been so entitled but for the provisions of this Act relating to service dependants pensions, shall be entitled to an old age pension under the Old Age Pensions Acts, 1908 to 1924, at the rate of ten shillings a week, notwithstanding that any of the statutory conditions as to means, residence or nationality is not satisfied in the case of that person, and notwithstanding that the yearly means of that person exceed the amount entitling him or her to a pension at that rate.

*General.*

Local authorities.

**41.**—(1) The local authority for the purposes of this Act shall be, in the case of a county borough, the borough council, and elsewhere, the county council:

Provided that, where the council of any non-county borough or urban district is both a local education authority and an authority for the purposes of the Maternity and Child Welfare Act, 1918, that council shall, as respects that borough or urban district, be the local authority for the purposes of this Act to the exclusion of the county council.

8 & 9 Geo. 5. c. 29.

(2) A county council may for the purposes of this Act make arrangements with any sanitary authority whose area is wholly or partly situate within the county for the execution and performance by that sanitary authority of any of the powers and duties of the county council under this Act.

(3) A local authority for the purpose of this Act, or a sanitary authority with which a county council have made arrangements under the last preceding subsection, may, if the authority is a local education authority or an authority for the purposes of the Maternity and Child Welfare Act, 1918, delegate their powers and duties under this Act to the education committee or to the maternity and child welfare committee of the authority, or if the authority is both a local education authority and an authority for the purposes of the Maternity and Child Welfare Act, 1918, partly to one such committee and partly to the other, as they think fit; and such delegation may be made subject to such restrictions and conditions, if any, as the authority think fit.

(4) Any expenses incurred by a local education committee or a maternity and child welfare committee in the execution and performance of any powers and duties so delegated shall be defrayed as expenses incurred in aid of elementary education or under the Maternity and Child Welfare Act, 1918, as the case may be, and any expenses incurred by a local authority for the purposes of this Act in the execution and performance of their powers and duties which have not been delegated to a local education committee or a maternity and child welfare committee, and any similar expenses of a sanitary authority, so far as they are not met by payments by the county council, shall be defrayed as follows:—

(*a*) in the case of a county council, as expenses for general county purposes, or, if the Minister by order so directs, as expenses for special county purposes charged on such part of the county as may be provided by the order;

(*b*) in the case of the common council of the City of London, out of the general rate;

(*c*) in the case of a metropolitan borough council, as part of the general expenses of the council;

(*d*) in the case of a borough or district council, as part of the general expenses of the council in the execution of the Public Health Acts.

(5) For the purposes of this Act the Minister may refer to the local authority for investigation and report to him any matter relating to a widow or child to or

in respect of whom a widow's or orphan's pension or additional allowance is payable.

Provisions as to posthumous children.

**42.**—(1) In the event of a posthumous child being born any additional allowance or orphan's pension which would have been payable in respect of the child had he been living at the date of his father's death shall be payable in respect of the child as from the date of birth.

(2) Where under any of the provisions of this Act the right of a woman to a widow's pension depends on there being at least one child living at the date of the death of her husband or of the commencement of this Act, then, in the event of a posthumous child being born, or being born after the commencement of this Act, as the case may be, the child shall for the purpose of determining her right to a pension be treated as if it had been born immediately before the date of the death of the father or of the commencement of this Act as the case may be.

Decennial reports and revision of contributions.

**43.**—(1) The Government Actuary shall in the year nineteen hundred and thirty-five, and in every succeeding tenth year, make a report to the Treasury on the general financial operation of this Act, the amount of contributions from the Exchequer which will be required to preserve the solvency of the treasury pensions account, and the value of the benefits conferred by this Act; and every such report shall be laid before Parliament:

Provided that nothing in this provision shall be construed as preventing the Treasury from requiring additional reports to be so made at such times during the currency of any decennial period as they think fit.

(2) Unless Parliament otherwise determines, during the decennial period commencing the first day of January, nineteen hundred and thirty-six, the ordinary rates of contribution shall be increased in the case of men by twopence a week (of which in the case of employed persons one penny shall be payable by the employer and one penny by the employed person), and in the case of women by one penny a week (of which in the case of employed persons one halfpenny shall be payable by the employer and one halfpenny by the employed person), and similar additional increases shall be made in the contributions at the beginning of the decennial periods

commencing the first day of January, nineteen hundred and forty-six, and nineteen hundred and fifty-six.

(3) The rates of contribution under Part II. of the First Schedule to this Act shall at the beginning of each such decennial period be increased in the case of men by one penny and in the case of women by one halfpenny a week (the whole of which shall be payable by the employer), but the rates of contribution under Part III. and Part IV. of the said schedule shall not be liable to be increased.

Interpretation.

**44.**—(1) In this Act, unless the context otherwise requires—

"The appointed day" means the second day of January, nineteen hundred and twenty-eight;

"The Minister" means the Minister of Health;

"Child" includes a stepchild, and, in relation to a man, an illegitimate child, whether his or his wife's, who was living with him at the time of his death and, in relation to a woman, includes her illegitimate child who was living with her at the time of her death;

"Orphan" means a child both of whose parents are dead;

"Pension" means a pension under this Act and a pension under the Old Age Pensions Acts, 1908 to 1924, which is payable by virtue of this Act;

"Service dependants pension" means any pension or allowance payable out of moneys provided by Parliament at weekly or other periodical intervals to a person—

(*a*) in respect of the death of some other person attributable to or connected with the service of that other person in the naval, military or air forces; or

(*b*) in respect of the death of some other person attributable to or connected with the service of that other person during the late war;

and "service pension authority" means the authority or department by whom the service dependants pension is administered;

"Provisions of this Act" includes any regulations made under this Act;

"Contribution year" means such period corresponding as nearly as may be to twelve months as may be prescribed;

"Contributions," except where the expression is used in relation to contributions under the Unemployment Insurance Acts, 1920 to 1924, means contributions under this Act or the Insurance Act, or any Act repealed by the Insurance Act.

Expressions in this Act have the same meaning as in the Insurance Act.

(2) Where a person attains a particular age on the date of the commencement of this Act or on the appointed day or on the second day of July, nineteen hundred and twenty-six, that person shall for the purposes of this Act be deemed to have attained such age after those dates respectively.

(3) When the widow of a man has remarried she shall not for the purposes of this Act be regarded as the widow of her former husband and accordingly (subject to the provisions of this Act as to the continuance of additional allowances) shall not be entitled to any pension under this Act in respect of the insurance of her former husband.

(4) Where a child born before the marriage of his parents has been legitimated by virtue of the subsequent marriage of his parents the child shall, for the purposes of this Act, be deemed to be a child born of the marriage.

(5) For the purposes of this Act, any period during which a person served in the naval, military, or air forces of the Crown during the late war shall, if he was entitled to be insured whilst so serving, be deemed to be a period during which he was insured, and contributions shall be deemed to have been paid in respect of him for every week during that period.

(6) A person who would be entitled to an old age pension under the Old Age Pensions Acts, 1908 to 1924, by virtue of this Act, shall, for the purposes of this Act, be deemed to be entitled thereto by virtue of this Act notwithstanding that that person would be entitled to

an old age pension under those Acts independently of this Act.

(7) The weeks during which any person whilst resident in Northern Ireland has been insured under the Insurance Act and the contributions paid into the Northern Ireland National Health Insurance Fund by or in respect of any person shall, for the purpose of determining whether any statutory condition under this Act is fulfilled in the case of such a person, be treated as weeks of insurance and contributions paid by or in respect of him.

(8) This Act, so far as it amends the Insurance Act, shall be read with, and be deemed to be part of, the Insurance Act, and so far as it amends the Unemployment Insurance Acts, 1920 to 1924, shall be read with and be deemed to be part of those Acts.

**45.** In the application of this Act to Scotland— Application to Scotland.

(1) References to the Minister of Health shall be construed as references to the Scottish Board of Health, except in section twenty-seven, in which section references to the Minister shall be construed as references to the Secretary for Scotland, references in the said section twenty-seven to a local authority shall be construed as references to a local authority within the meaning of the Local Authorities Loans (Scotland) Acts, 1891 to 1924; and the reference to the registrar of the county court shall be construed as a reference to the sheriff clerk:

(2) A separate account, to be called the pensions (Scotland) account, shall be opened, and all the provisions of this Act relating to the pensions account (including the provisions as to the making of payments thereto from the treasury pensions account) shall apply to the pensions (Scotland) account:

(3) The local authority for the purposes of this Act shall be the local authority under the Public Health (Scotland) Act, 1897, and save as otherwise hereinafter provided the expenses of the local authority under this Act shall be defrayed out of the public health 60 & 61 Vict. c. 38.

general assessment; so, however, that such expenses shall not be reckoned in any calculation as to the statutory limit of that assessment.

A local authority may make arrangements for the execution and performance of any of their powers and duties under this Act either by a committee of the local authority or by a joint committee of the local authority and any other local authorities or otherwise as the local authority may determine, and any such committee or joint committee may consist partly of persons who are not members of the local authority or of any of the local authorities acting in combination, as the case may be:

Provided that, where any of the powers and duties of the local authority are executed and performed by the committee, or joint committee, administering the scheme of maternity and child welfare under the Notification of Births (Extension) Act, 1915, in operation within the district of the local authority, any expenses incurred by that committee, or joint committee, shall be defrayed as expenses incurred under that scheme.

5 & 6 Geo. 5. c. 64.

(4) The following subsections shall be substituted for subsections (1) and (2) of section thirty-one of this Act—

(*a*) Regulations may be made by the Registrar General with the approval of the Scottish Board of Health requiring every person giving information to a registrar of births, deaths, and marriages of a birth, death, or marriage to furnish in writing, to the best of his knowledge and belief, such information for the purposes of this Act as may be prescribed, and any person refusing so to furnish such information or knowingly making any false statement or representation with reference to such information shall be liable on summary conviction to imprisonment for a term not

exceeding three months. The provisions of section six of the Registration of Births, Deaths, and Marriages (Scotland) Act, 1854, with respect to regulations thereunder being laid before Parliament shall apply to regulations made under this subsection. 17 & 18 Vict. c. 80.

(*b*) Regulations made by the Scottish Board of Health or by the Registrar General with the approbation of the said Board under section six of the Registration of Births, Deaths and Marriages (Scotland) Act, 1854, may provide for the furnishing by registrars of births, deaths and marriages, subject to the payment of the prescribed fee, of such information for the purposes of this Act, as may be prescribed;

(5) Nothing in subsection (3) of section thirty-five of this Act shall be deemed to limit the period within which proceedings for the summary recovery as a civil debt of any sum may be brought:

(6) Subsections (5), (6) and (7) of section thirty-eight of this Act shall not apply.

Short title, extent and commencement.

**46.**—(1) This Act may be cited as the Widows' Orphans' and Old Age Contributory Pensions Act, 1925.

(2) This Act shall, save as respects the provisions thereof which are expressed to take effect as from the appointed day, or as from the second day of July, nineteen hundred and twenty-six, come into force on the fourth day of January, nineteen hundred and twenty-six, and that date is in this Act referred to as the commencement of this Act.

(3) This Act shall not extend to Northern Ireland.



# SCHEDULES.

Sections 9, 15 and 43.

## FIRST SCHEDULE.

### RATES OF CONTRIBUTIONS.

#### PART I.

#### ORDINARY RATES OF CONTRIBUTIONS.

| — | Rate of contribution per week. | Payable in case of employed persons. | |
|---|---|---|---|
| | | By the employer. | By the employed person. |
| Contributions in case of men - | 9*d.* | 4½*d.* | 4½*d.* |
| Contributions in case of women | 4½*d.* | 2½*d.* | 2*d.* |

#### PART II.

#### RATES OF CONTRIBUTIONS PAYABLE IN RESPECT OF PERSONS EMPLOYED WITHIN THE MEANING OF THE INSURANCE ACT WHO HAVE ATTAINED THE AGE OF SIXTY-FIVE.

| | | | |
|---|---|---|---|
| Contributions in case of men - | 9*d.* | 9*d.* | — |
| Contributions in case of women | 7*d.* | 7*d.* | — |

#### PART III.

#### RATES OF CONTRIBUTIONS IN RESPECT OF EXEMPT PERSONS.

| | | | |
|---|---|---|---|
| Contributions in case of men - | 7*d.* | 4½*d.* | 2½*d.* |
| Contributions in case of women | 2½*d.* | 2½*d.* | — |

PART IV. 1ST SCH. —*cont.*

RATES OF CONTRIBUTIONS IN RESPECT OF PERSONS EMPLOYED IN ANY EMPLOYMENT WHICH IS AN EXCEPTED EMPLOYMENT TO WHICH PARAGRAPH (IV) OF SUBSECTION (1) OF SECTION NINE OF THIS ACT APPLIES, AND WHO ARE INSURED FOR ALL PENSIONS EXCEPT OLD AGE PENSIONS.

| — | Rate of contribution per week. | Payable by the employer. | Payable by the employed person. |
|---|---|---|---|
| Contributions in case of men - | 7*d.* | 3½*d.* | 3½*d.* |
| Contributions in case of women | 3½*d.* | 2*d.* | 1½*d.* |

## SECOND SCHEDULE.

Section 15.

### APPLICATION OF SECTION 15 (7) TO A PERSON WHOSE REMUNERATION EXCEEDED TWO HUNDRED AND FIFTY POUNDS A YEAR.

Where a person who has been employed in an employment which would have been an excepted employment within the meaning of section fifteen of this Act had the rate of his remuneration not exceeded two hundred and fifty pounds a year has on retirement from such employment, whether before or after the commencement of this Act, been granted a superannuation allowance, then—

(i) Paragraph (*a*) of subsection (7) of the said section shall apply to him if, had the rate of his remuneration not exceeded the amount aforesaid, no contributions under this Act would, or would had he continued in the employment after the commencement of this Act, have been payable in respect of him;

(ii) Paragraph (*b*) of the said subsection shall apply to him if, had the rate of his remuneration not exceeded the amount aforesaid, contributions at the rates mentioned in Part IV. of the First Schedule to this Act would, or would had he continued in the employment after the commencement of this Act, have been payable in respect of him:

2ND SCH. —*cont.*

Provided that, where a person to whom paragraph (*a*) of the said subsection would by virtue of the foregoing provisions of this schedule apply is a person who at the commencement of this Act was an insured or exempt person, he shall be treated as if he were a person to whom paragraph (*a*) of the said subsection did not, but paragraph (*b*) thereof did, apply.

---

Section 21.

## THIRD SCHEDULE.

### DISQUALIFICATIONS FOR RECEIPT OF PENSION.

1. A person shall be disqualified for receiving or continuing to receive a pension, notwithstanding the fulfilment of the statutory conditions—

(*a*) while he is an inmate of any workhouse or other poor-law institution:

Provided that a person who has become an inmate of any workhouse or other poor-law institution for the purpose of obtaining medical or surgical treatment shall not, during a period of three months from the date on which he becomes such an inmate if he so long continues to require such treatment, be disqualified on the ground only that he is such an inmate for receiving or continuing to receive a pension;

(*b*) while he is detained in any asylum within the meaning of the Lunacy Acts, 1890 to 1922, or in Scotland the Lunacy (Scotland) Acts 1857 to 1919, or while he is being maintained in any place as a pauper or criminal lunatic.

2. Where a person has been before the passing of this Act, or is after the passing of this Act, convicted of any offence, and ordered to be imprisoned without the option of a fine or to suffer any greater punishment, he shall be disqualified for receiving or continuing to receive a pension while he is detained in prison in consequence of the order.

---

# FOURTH SCHEDULE.

Section 38.

## PART I.

### AMENDMENTS OF INSURANCE ACT AS TO RATES OF CONTRIBUTIONS, &C.

1. The following Table shall be substituted for the Table in Part I. of the Second Schedule to the Insurance Act, except for the purposes of subsection (2) of section one hundred and twenty-one of that Act.

### RATES OF CONTRIBUTIONS IN RESPECT OF EMPLOYED CONTRIBUTORS.

| | |
|---|---|
| In the case of men | 9*d.* a week. |
| In the case of women | 8½*d.* a week. |

### CONTRIBUTIONS OF EMPLOYERS AND EMPLOYED CONTRIBUTORS.

*In Ordinary Cases.*

| | | |
|---|---|---|
| To be paid by the employer | | 4½*d.* a week. |
| To be paid by the contributor | men | 4½*d.* a week. |
| | women | 4*d.* a week. |

*In the case of Low-Wage Earners.*

In the case of employed contributors of either sex, of the age of eighteen or upwards, whose remuneration does not include the provision of board and lodging by their employer, and the rate of whose remuneration does not exceed 4*s.* a working day, the following shall be the rates of contribution :—

(1) Where the rate of remuneration does not exceed 3*s.* a working day :—

| | | |
|---|---|---|
| To be paid by the employer | for men | 9*d.* a week. |
| | for women | 8½*d.* a week. |

(2) Where the rate of remuneration exceeds 3*s.* but does not exceed 4*s.* a working day :—

| | | |
|---|---|---|
| To be paid by the employer | | 5½*d.* a week. |
| To be paid by the contributor | men | 3½*d.* a week. |
| | women | 3*d.* a week. |

4TH SCH. —*cont.*

2. The sum of fourpence halfpenny shall be substituted for the sum of fivepence as the weekly contribution payable by an employer in respect of an exempt person, and subsection (1) of section six of the Insurance Act shall have effect accordingly.

3. The sum of threepence halfpenny shall be substituted for the sum of fourpence halfpenny which, under the provisions of subsection (1) of section fifty-seven of the Insurance Act, is to be paid to the Minister by the Admiralty, Army Council and Air Council, respectively, in respect of each contribution week or part of a contribution week for which every seaman, marine, soldier or airman, being a member of an approved society receives pay.

4. The sums to be retained by the Minister under subsection (1) of section sixty-seven of the Insurance Act out of each weekly contribution paid under that Act shall be, in the case of a man, one penny and five-ninths of a penny, and, in the case of a woman, one penny and three-tenths of a penny, and that subsection shall be read and have effect accordingly.

5. The sums to be applied by the Minister under paragraph (*a*) of subsection (1) of section sixty-seven of the Insurance Act towards discharging the liabilities of the Minister to approved societies in respect of reserve values, shall be, in the case of a man, one penny, and in the case of a woman, nine-tenths of a penny, and that paragraph shall be read and have effect accordingly.

6. Eightpence shall be substituted for ninepence and fourpence halfpenny for fivepence in section one hundred and three of the Insurance Act.

## PART II.

### CONSEQUENTIAL AMENDMENTS OF INSURANCE ACT COMING INTO OPERATION ON COMMENCEMENT OF THIS ACT.

| Enactment to be amended. | Amendment. |
|---|---|
| Section 97 (2) | For the words "the year preceding the date when the information for the offence was laid" there shall be substituted the words "the two years preceding the date of the offence." |

4TH SCH. *-cont.*

PART III.

CONSEQUENTIAL AMENDMENTS OF INSURANCE ACT COMING INTO OPERATION ON THE APPOINTED DAY.

| Enactment to be amended. | Amendment. |
|---|---|
| Section 3 (3) - | " Sixty-five years " shall be substituted for " seventy years." |
| Section 7 (3) - | " Sixty-five years " shall be substituted for " seventy years." |
| Section 12 - | Subsection (2) shall be repealed. |
| Section 13 (8) | " Sixty-five years " shall be substituted for " seventy years." |
| Section 69 (3) | " Sixty-five years " shall be substituted for " seventy years." |

# CHAPTER 71.

An Act to amend the Public Health Acts, 1875 to 1907, and the Baths and Washhouses Acts, 1846 to 1899, in respect of matters for which provision is commonly made in local Acts and for other purposes relating to the public health.

[7th August 1925.]

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:—

PART I.

PRELIMINARY.

Short title, construction and commencement.

**1.**—(1) This Act may be cited as the Public Health Act, 1925.

(2) Parts I. to VIII. of this Act and the Public Health Acts, 1875 to 1907, may be cited together as the Public Health Acts, 1875 to 1925, and the Baths and Washhouses Acts, 1846 to 1899, and Part IX. of this Act may be cited together as the Baths and Washhouses Acts, 1846 to 1925.

(3) Parts I. to VIII. of this Act shall be construed as one with the Public Health Acts, 1875 to 1907, and