



ANALYSIS

Title
1. Short Title

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| 2. | Increasing rates of certain pensions in respect of period 1 April 1971 to 8 June 1971 |
| 3. | Increasing rates of certain pensions and allowances on and after 9 June 1971 |
| | Schedules |

1971, No. 9

An Act to amend the War Pensions Act 1954

[6 September 1971]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the War Pensions Amendment Act 1971, and shall be read together with and deemed part of the War Pensions Act 1954 (hereinafter referred to as the principal Act).

2. Increasing rates of certain pensions in respect of period 1 April 1971 to 8 June 1971—(1) In respect of the period commencing on the 1st day of April 1971 and ending with the 8th day of June 1971, the First, Fourth, and Seventh Schedules to the principal Act (as substituted by section 3 (1) of the War Pensions Amendment Act (No. 3) 1970) shall have effect as if they had been amended in the manner indicated in the First Schedule to this Act.

(2) This section and the First Schedule to this Act shall be deemed to have come into force on the 1st day of April 1971.

3. Increasing rates of certain pensions and allowances on and after 9 June 1971—(1) The principal Act is hereby amended by repealing the First to Seventh, Ninth, and Eleventh Schedules (as substituted by section 3 (1) of the War Pensions Amendment Act (No. 3) 1970) and the Twelfth Schedule (as added by section 10 (2) of the War Pensions Amendment Act (No. 2) 1970), and substituting the First to Seventh, Ninth, Eleventh, and Twelfth Schedules set out in the Second Schedule to this Act.

(2) The War Pensions Amendment Act (No. 2) 1970 is hereby amended by repealing subsection (2) of section 10 and the Schedule.

(3) The War Pensions Amendment Act (No. 3) 1970 is hereby repealed.

(4) This section and the Second Schedule to this Act shall be deemed to have come into force on the 9th day of June 1971.

SCHEDULES

Section 2 (1)

FIRST SCHEDULE

AMENDMENTS TO PRINCIPAL ACT INCREASING RATES OF CERTAIN
PENSIONS IN RESPECT OF PERIOD 1 APRIL 1971 TO 8 JUNE 1971

Schedule Amended	Amendments
First Schedule	By omitting from clause 1 the expression "\$13.30", and substituting the expression "\$15.40". By omitting from clause 2 the expression "\$7.90", and substituting the expression "\$9.20".
Fourth Schedule	By omitting from clause 1 the expression "\$9.80", and substituting the expression "\$11.35". By omitting from clause 3 the expression "\$9.80", and substituting the expression "\$11.35". By omitting from clause 5 the expression "\$9.80", and substituting the expression "\$11.35".
Seventh Schedule	By omitting from clause 3 the expression "\$1,276.60", and substituting the expression "\$1,357.20".

Section 3 (1)

SECOND SCHEDULE

NEW FIRST TO SEVENTH, NINTH, ELEVENTH, AND TWELFTH
SCHEDULES TO PRINCIPAL ACT

(Effective on and after 9 June 1971)

Sections 20, 23,
28, 62, 65

"FIRST SCHEDULE

MAXIMUM RATES OF PENSIONS FOR DISABLED MEMBERS

Part I—Members of Forces

1. Under section 20—
In every case \$15.40 a week
2. Under section 23—
In certain cases of severe disablement (additional pension) \$9.20 a week
3. Under section 28—
Clothing allowance (additional pension) as follows—
 - (a) Loss of two limbs or parts \$1.35 a week
 - (b) Loss of leg or part \$1.25 a week
 - (c) Loss of arm or part 92c a week
 - (d) Use of mechanical appliance, etc. 92c a week

SECOND SCHEDULE—*continued*“FIRST SCHEDULE—*continued**Part II—Members of Mercantile Marine*

4. Under section 62—

The same rates as those specified in Part I of this Schedule.

Part III—Members of Emergency Reserve Corps

5. Under section 65—

The same rates as those specified in Part I of this Schedule.

“SECOND SCHEDULE Sections 29, 62, 65

MAXIMUM RATES OF ALLOWANCES FOR SERVICES OF ATTENDANTS FOR
DISABLED MEMBERS*Part I—Members of Forces*

1. Under section 29—

In every case \$16 a week

Part II—Members of Mercantile Marine

2. Under section 62—

The same rate as that specified in Part I of this Schedule.

Part III—Members of Emergency Reserve Corps

3. Under section 65—

The same rate as that specified in Part I of this Schedule.

“THIRD SCHEDULE Sections 30, 62, 65

MAXIMUM RATES OF PENSIONS FOR WIFE OF TOTALLY DISABLED
MEMBER*Part I—Members of Forces*

1. Under section 30—

In every case \$14.50 a week

Part II—Members of Mercantile Marine

2. Under section 62—

The same rate as that specified in Part I of this Schedule.

Part III—Members of Emergency Reserve Corps

3. Under section 65—

The same rate as that specified in Part I of this Schedule.

SECOND SCHEDULE—*continued*

Sections 32, 62, 65 "FOURTH SCHEDULE

MAXIMUM RATES OF PENSIONS FOR WIDOWS OF DECEASED MEMBERS

Part I—Members of Forces

1. Under section 32 (1)—
To the widow in every case \$11.35 a week
2. Under section 32 (2)—
Additional mother's allowance to a widow—
(a) On account of first or only dependent child \$13 a week
(b) On account of each additional dependent
child after the first \$1.50 a week

Part II—Members of Mercantile Marine

3. Under section 32 (1) as applied by section 62—
To the widow in every case \$11.35 a week
4. Under section 32 (2) as applied by section 62—
Additional mother's allowance to a widow with
dependent child or children—
The same rates as those provided in clause 2
of Part I of this Schedule.

Part III—Members of Emergency Reserve Corps

5. Under section 32 (1) as applied by section 65—
To the widow in every case \$11.35 a week
6. Under section 32 (2) as applied by section 65—
Additional mother's allowance to a widow with
dependent child or children—
The same rates as those provided in clause 2
of Part I of this Schedule.

Sections 36, 40, 62, 65 "FIFTH SCHEDULE

MAXIMUM RATES OF PENSIONS FOR CHILDREN OF DISABLED AND
DECEASED MEMBERS*Part I—Members of Forces*

1. Under section 36—
In ordinary cases \$1.50 a week
2. Under section 40—
In certain cases where parents dead, or child not
under control of its mother \$10.05 a week

Part II—Members of Mercantile Marine

3. Under section 62—
The same rates as those specified in Part I of this Schedule.

Part III—Members of Emergency Reserve Corps

4. Under section 65—
The same rates as those specified in Part I of this Schedule.

SECOND SCHEDULE—*continued*

"SIXTH SCHEDULE Sections 59, 60, 62, 65

MAXIMUM RATES OF ECONOMIC PENSIONS AND INCOME EXEMPTIONS

Part I—Members of Forces

1. Under section 59—

Income exemption in respect
of claimant and husband
or wife (if any)—

- (a) In the case of a widow
with a child or
children of the
member dependent
upon her and sup-
ported by her to the
satisfaction of a
War Pensions Board \$17 a week.
- (b) In any other case \$13 a week.

2. For the purposes of clause 1 of this Schedule, the expression 'child or children' includes, if a War Pension Board thinks fit, a child or children in respect of whom a pension has been continued beyond the age of 16 years under section 43 of this Act.

3. Under section 60—

Economic pension, as follows—

- (a) To any member of the
forces \$14.50 a week
- (b) To the widow of a
deceased member of
the forces \$14.50 a week
- (c) To the widowed
mother of a de-
ceased member of
the forces—
- (i) Where the
claimant was wholly
dependent on the
member or was the
mother of two or
more sons, being
deceased members
of forces \$14.50 a week
- (ii) In any other
case \$12.25 a week
- (d) To any person in re-
ceipt of a pension
under section 55 or
section 56 in respect
of his own disable-
ment \$14.50 a week

SECOND SCHEDULE—*continued*"SIXTH SCHEDULE—*continued*

- (e) To any widow in receipt of a pension under section 55 or section 56 in respect of the death of her husband or son
- The rate of the pension that would be payable to her under paragraph (b) or paragraph (c) of this clause if her husband or son, as the case may be, had been a member of the forces.
- (f) To any person who is disqualified from receiving a pension under section 56 by reason only that the pensions received by him from an overseas Government is not less than the pension that would be payable under Part II of this Act in respect of a member of the New Zealand forces.
- The difference between the rate of the pension paid to the claimant by an overseas Government and the aggregate rate of the pensions that would be payable to the claimant under Parts II and III of this Act if the person in respect of whose disablement or death the overseas pension is paid had been a member of the New Zealand forces.

Part II—Members of Mercantile Marine

4. Under section 62—

The same rates as those specified in Part I of this Schedule.

Part III—Members of Emergency Reserve Corps

5. Under section 65—

The same rates as those specified in Part I of this Schedule.

Part IV—General

6. The rates specified in clauses 3, 4, and 5 of this Schedule shall be increased by \$1.50 a week in any case where the claimant or pensioner is an unmarried person, or, being married, is, in the opinion of a War Pensions Board, living apart from his wife or her husband, as the case may be:

Provided that a War Pensions Board may in its discretion refuse to increase any economic pension under this clause in any case where in the opinion of the Board the claimant or pensioner is sharing household expenses with any other person.

SECOND SCHEDULE—*continued*

“SEVENTH SCHEDULE Sections 69, 70, 74

RATES OF WAR VETERANS' ALLOWANCES

1. Under section 69—

- (a) To an unmarried veteran \$754 a year, diminished by \$3 for every complete \$4 of the total annual income of the veteran in excess of \$676 a year.
- (b) To a married male veteran who is qualified to receive an allowance on account of his wife, in respect of himself and his wife \$1,508 a year, diminished by \$3 for every complete \$4 of the total annual income of the veteran and his wife (exclusive of any allowance under Part VI of this Act) in excess of \$676 a year.
- (c) To a married veteran whose wife or husband is granted, in her or his own right, a war veteran's allowance, economic pension, or war service pension under this Act, or a benefit (other than a superannuation benefit) under Part I of the Social Security Act 1964 \$754 a year, diminished by \$1.50 for every complete \$4 of the total annual income of the veteran and his or her spouse in excess of \$676 a year.
- (d) To any other married veteran \$754 a year, diminished by \$3 for every complete \$4 of the total annual income of the veteran and the spouse of the veteran, including the amount of any superannuation benefit under Part I of the Social Security Act 1964 granted to the spouse of the veteran, in excess of \$1,430 a year:

Provided that, if the spouse of the veteran is not in receipt of a superannuation benefit under Part I of the Social Security Act 1964, the rate of the war veteran's allowance payable to the veteran shall not be less than the rate of the war veteran's allowance that would be payable to a married male veteran under paragraph (b) of this clause, but the rate of allowance payable hereunder shall not exceed \$754 a year.

SECOND SCHEDULE—*continued*“SEVENTH SCHEDULE—*continued*”

2. Under section 70—

Age supplement—

- (a) Where a married male veteran and his wife have both attained the age of 65 years \$156 a year, diminished by \$2 for every complete \$2 of the total annual income of the veteran and his wife (exclusive of any allowance under Part VI of this Act) in excess of \$520 a year.
- (b) Where a married female veteran has attained the age of 65 years \$78 a year, diminished by \$2 for every complete \$2 of the total annual income of the veteran and her husband (exclusive of any allowance under Part VI of this Act received by the female veteran) in excess of \$1,352 a year.
- (c) In any other case where the veteran or the wife of a male veteran has attained the age of 65 years \$78 a year, diminished by \$2 for every complete \$2 of the total annual income of the veteran and his wife (if any) (exclusive of any allowance under Part VI of this Act) in excess of \$598 a year.

3. Under section 74—

Special allowance where veteran dies leaving widow or dependent child Not exceeding \$1,422.20 a year.

4. General—

The rates specified in clause 1 of this Schedule shall be increased by \$78 a year in any case where the person claiming or in receipt of the allowance is an unmarried person:

Provided that a War Pensions Board may in its discretion refuse to increase any allowance under this clause in any case where, in the opinion of the Board, the person claiming or in receipt of the allowance is sharing household expenses with any other person.

SECOND SCHEDULE—*continued*

"NINTH SCHEDULE

Section 21

PENSIONS PAYABLE FOR SPECIFIC DISABILITIES

Nature of Disability	Percentage of Full Pension Payable in Cases of Total Disablement
Total blindness	100
Incurable insanity	100
Very severe facial disfigurement	100
Lower limb amputation through hip joint	100
Lower limb amputation through upper third of thigh (if without useful stump)	100
Upper limb amputation (where an artificial arm cannot be fitted with retention of elbow joint function)	100
Lower limb amputation through upper third of thigh (if with useful stump)	90
Permanent loss of speech	90
Lower limb amputation through knee joint or middle or lower third of thigh	85
Total deafness	85
Upper limb amputation (where an artificial arm can be fitted with retention of elbow joint function), but not beyond all the metacarpo-phalangeal joints	80
Severe facial disfigurement	80
Lower limb amputation, but not beyond the tarso-metatarsal joint	75
Loss of 1 eye	50
Loss of 4 fingers	50
Loss of 3 fingers	40
Loss of thumb	40
Loss of 2 fingers	25
Loss of index finger of either hand	20

NOTE TO SCHEDULE

For the purposes of this Schedule, 'loss of' and 'amputation of' include 'permanent loss of the use of'.

SECOND SCHEDULE—*continued*

Section 75B

“ELEVENTH SCHEDULE

MAXIMUM RATES OF FAMILY MAINTENANCE ALLOWANCES

1. To any veteran or serviceman receiving a war veteran's allowance or a war service pension at the rate payable to an unmarried person—
 - (a) On account of first or only dependent child \$676 a year
 - (b) On account of each additional dependent child after the first \$78 a year
 2. To any veteran or serviceman receiving or qualified to receive a war veteran's allowance or a war service pension in respect of himself and his wife, or the wife of any such veteran or serviceman—
 - (a) On account of first or only dependent child \$156 a year
 - (b) On account of each additional dependent child after the first \$78 a year
 3. To any person receiving an economic pension at the rate payable to an unmarried person—
 - (a) On account of first or only dependent child \$13 a week
 - (b) On account of each additional dependent child after the first \$1.50 a week
 4. To any person receiving an economic pension at the rate payable to a married person, or a wife's pension—
 - (a) On account of first or only dependent child \$3 a week
 - (b) On account of each additional dependent child after the first \$1.50 a week
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SECOND SCHEDULE—*continued*

"TWELFTH SCHEDULE

Sections 66E,
66F, 66J

RATES OF WAR SERVICE PENSIONS

1. Under section 66E—

- (a) To an unmarried serviceman \$754 a year, diminished by \$3 for every complete \$4 of his total annual income in excess of \$676 a year.
- (b) To a married male serviceman who is qualified to receive a pension on account of his wife, in respect of himself and his wife \$1,508 a year, diminished by \$3 for every complete \$4 of the total annual income of the serviceman and his wife (exclusive of any pension under Part VA of this Act) in excess of \$676 a year.
- (c) To a married serviceman whose wife or husband is granted, in her or his own right, a war service pension, war veteran's allowance, or economic pension under this Act, or a benefit (other than a superannuation benefit) under Part I of the Social Security Act 1964 \$754 a year, diminished by \$1.50 for every complete \$4 of the total annual income of the serviceman and his or her spouse in excess of \$676 a year.
- (d) To any other married serviceman \$754 a year, diminished by \$3 for every complete \$4 of the total annual income of the serviceman, and the spouse of the serviceman, including the amount of any superannuation benefit under Part I of the Social Security Act 1964 granted to the spouse of the serviceman, in excess of \$1,430 a year:

Provided that, if the spouse of the serviceman is not in receipt of a superannuation benefit under Part I of the Social Security Act 1964, the rate of the war service pension payable to the serviceman shall not be less than the rate of the war service pension that would be payable to a married male serviceman under paragraph (b) of this clause, but

SECOND SCHEDULE—*continued*“TWELFTH SCHEDULE—*continued*”

the rate of pension payable hereunder shall not exceed \$754 a year.

2. Under section 66F—

Age supplement—

- (a) Where a married male serviceman and his wife have both attained the age of 55 years \$156 a year.
- (b) Where a married female ‘serviceman’ has attained the age of 65 years \$78 a year.
- (c) In any other case where the serviceman or the wife of a male serviceman has attained the age of 65 years \$78 a year.

3. Under section 66J—

Continuation of pension where serviceman dies leaving widow or dependent child A rate not exceeding \$1,664 a year, plus family maintenance allowance (if any).

4. General—

The rates specified in clause 1 of this Schedule shall be increased by \$78 a year in any case where the person claiming or in receipt of the pension is an unmarried person:

Provided that a War Pensions Board may in its discretion refuse to increase any pension under this clause in any case where, in the opinion of the Board, the person claiming or in receipt of the pension is sharing household expenses with any other person.”

This Act is administered in the Social Security Department.