

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE]

House of Representatives, 7 November 1973

Words inserted by the Committee are shown in roman underlined with a double rule, or with double rule before first line and last line.

Hon. Mr Faulkner

WAR PENSIONS AMENDMENT

ANALYSIS

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A BILL INTITULED

An Act to amend the War Pensions Act 1954

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

No. 124—2

Price 20c

1. Short Title—This Act may be cited as the War Pensions Amendment Act 1973, and shall be read together with and deemed part of the War Pensions Act 1954* (hereinafter referred to as the principal Act).

*Reprinted 1970, Vol. 3, p. 2659
Amendment: 1972, No. 134

2. Application of Act—(1) The principal Act is hereby amended by inserting, after section 1, the following section: 5

“1A. Except as provided in subsection (5) of section 19, or section 66B, of this Act, the provisions of this Act shall not apply to any member of the Armed Forces of New Zealand within the meaning of the Accident Compensation Act 1972 in respect of service as such a member.” 10

(2) This section shall come into force on the commencement of section 63 of the Accident Compensation Act 1972.

3. War Pensions Appeal Boards—(1) Section 8 of the principal Act is hereby amended by omitting from subsection (2) the word “three”, and substituting the words “not more than 4”. 15

(2) The said section 8 is hereby further amended by adding to subsection (3) the words “If an appeal is lodged under section 16 (1) (c), section 66A, or section 67 of this Act against a decision of a War Pensions Board, an additional member appointed by the Minister on the nomination of the New Zealand Returned Services Association (Incorporated) shall be present at the hearing of the appeal and, in relation to the appeal, shall have the same powers as other members of the Appeal Board appointed under this section.” 20 25

(3) The said section 8 is hereby further amended by omitting from subsection (5) the word “All”, and substituting the words “Except as provided in subsections (6) and (7) of this section, all”. 30

(4) The said section 8 is hereby further amended by adding the following subsections:

“(6) At the hearing of an appeal lodged under section 16 (1) (c) of this Act, the Chairman of the Appeal Board, 1 medical practitioner appointed under subsection (3) of this section, and the additional member appointed under the said subsection, shall constitute a quorum.” 35

“(7) At the hearing of an appeal lodged under section 66A or section 67 of this Act, the Chairman of the Appeal Board and the additional member appointed under subsection (3) of this section shall constitute a quorum.” 40

“(8) The decision of a majority of the members present at a sitting of the Appeal Board shall be the decision of the Board. If the said members are equally divided in opinion, the decision of the Chairman shall be the decision of the
5 Appeal Board.”

4. Appeals from decisions of War Pensions Board—(1) Section 16 (1) of the principal Act is hereby amended by adding to paragraph (b) the word “; or”.

(2) The said section 16 (1) is hereby further amended by
10 adding the following paragraph:

“(c) The assessment of any additional pension for severe disablement under section 23 of this Act.”

5. Appeals to Social Security Appeal Authority—(1) The principal Act is hereby further amended by inserting, after
15 section 16, the following section:

“16A. (1) An appeal shall lie to the Social Security Appeal Authority against any decision or determination of a War Pensions Board or the Secretary under—

“(a) Part III of this Act:

20 “(b) Sections 66B, 66D to 66K, 68 to 78c, 81 to 83, 84 (except in relation to pensions granted under Parts II, IV, and V of this Act), 84A, 86, 87 (2), 87A, 89, and 90 of this Act—

other than a decision or determination in respect of which an
25 appeal lies to a War Pensions Appeal Board.

“(2) Sections 12A to 12R of the Social Security Act 1964 shall, with the necessary modifications, apply in respect of every appeal under this section, and for that purpose every reference in those sections to the Social Security Commission
30 shall be read as a reference to the War Pensions Board or, if the appeal is against the decision or determination of the Secretary under section 84A or section 90 of this Act, to the Secretary.”

(2) This section shall come into force on the commence-
35 ment of section 4 of the Social Security Amendment Act 1973.

6. General provisions as to grounds for payment of pensions—(1) Section 19 of the principal Act (as amended by section 4 of the War Pensions Amendment Act (No. 2) 1970) is hereby further amended by adding the following
40 subsection:

“(5) If the disablement or death of a member of the Armed Forces of New Zealand within the meaning of the Accident Compensation Act 1972 occurred while he was serving (whether in New Zealand or elsewhere) as such a member in connection with a war or emergency, or is attributable to such service, or if the condition that resulted in the disablement or death of such a member was aggravated by such service, the disablement or death of the member, as the case may be, shall be deemed to be attributable to service as a member of the forces within the meaning of this Act, and the provisions of this Act shall apply accordingly.”

(2) This section shall come into force on the commencement of section 63 of the Accident Compensation Act 1972.

7. Service otherwise than as a member of forces— Section 55 of the principal Act is hereby amended by adding the following subsection:

“(4) Nothing in this section shall apply in respect of service on or after the date of commencement of section 63 of the Accident Compensation Act 1972.”

8. “Serviceman” defined—Section 66A of the principal Act (as inserted by section 10 (1) of the War Pensions Amendment Act (No. 2) 1970) is hereby amended by adding the following subsections:

“(2) Whether or not any claimant for a war service pension is a serviceman within the meaning of this section shall be a question of fact to be determined in the first instance by a War Pensions Board.

“(3) Within 6 months after the date on which any decision of a War Pensions Board under subsection (2) of this section has been communicated to him, the claimant shall have a right of appeal to a War Pensions Appeal Board, and, in the event of an appeal, the decision of the Appeal Board shall be final.”

9. War service pensions—Section 66B of the principal Act (as inserted by section 10 (1) of the War Pensions Amendment Act (No. 2) 1970) is hereby amended by repealing subsection (4).

10. Extending provisions as to war veterans’ allowances— Section 67 of the principal Act is hereby amended by adding the following subsection:

“(2) Within 6 months after the date on which any decision of a War Pensions Board under this section has been communicated to him, the claimant shall have a right of appeal to a War Pensions Appeal Board, and, in the event of an appeal, the decision of the Appeal Board shall be final.”

11. Allowances for war veterans and their dependants—

(1) Section 68 (4) of the principal Act (as substituted by section 3 of the War Pensions Amendment Act 1965) is hereby amended by omitting the words “Except as provided in this subsection, every decision of a War Pensions Board under this section shall be final”.

(2) The said section 68 (as amended by section 11 of the War Pensions Amendment Act (No. 2) 1970) is hereby further amended by adding the following subsection:

“(7) Notwithstanding anything in subsections (5) and (6) of this section, if any war veteran not qualified to receive a war service pension was, before the 1st day of April 1971, granted a war veteran’s allowance in respect of service which commenced on or after the 3rd day of September 1939 and that allowance is cancelled for any reason, he may be granted a new war veteran’s allowance under this Part of this Act if he applies for it within 5 years after the date of cancellation of the previous allowance.”

12. War servicemen’s dependants’ allowances—Section 75A of the principal Act (as inserted by section 4 of the War Pensions Amendment Act 1963) is hereby amended by adding the following subsections:

“(5) Whether or not the death of a member was attributable to service or, in the case of a member of the Mercantile Marine, directly attributable to the Second World War, shall be a question of fact to be determined in the first instance by a War Pensions Board.

“(6) Within 6 months after the date on which any decision of a War Pensions Board under subsection (5) of this section has been communicated to him, the claimant shall have a right of appeal to a War Pensions Appeal Board, and, in the event of an appeal, the decision of the Appeal Board shall be final.”

13. Limitation of claims by persons entitled to 2 or more pensions for disablement of same person—Section 80 of the principal Act is hereby amended by adding the following subsection:

“(2) Except as provided in section 80B of this Act, for the purposes of this section, a periodical payment of earnings related compensation under the Accident Compensation Act 1972 shall be deemed not to be a pension or allowance in respect of disablement.”

14. Service in connection with an emergency—Section 80A of the principal Act and its heading (as inserted by section 4 of the War Pensions Amendment Act 1965) are hereby amended by omitting the word “overseas” in both places where it occurs.

15. Special provisions relating to accident compensation—The principal Act is hereby further amended by inserting, after section 80A (as so inserted), the following section:

“80B. If a person receives or is entitled to receive in respect of himself or his dependants, or if any of his dependants receives or is entitled to receive, compensation under the Accident Compensation Act 1972, the following special provisions shall apply in respect of pensions or allowances under this Act:

“(a) In the case of a pension in respect of disablement or death which occurs while on service during a war or an emergency, or which is attributable to or aggravated by service in a war or emergency, no account shall be taken of any such compensation:

“(b) In the case of any other pension or allowance payable under this Act, a War Pensions Board may in its discretion take into account, in determining the rate of that pension or allowance, the whole or any part of such compensation, having regard to the nature of the compensation and the grounds on which it was authorised.”

16. Recovery of payments made in error—Section 90 of the principal Act is hereby amended by adding the following subsection:

“(2) Notwithstanding anything to the contrary in this section, the Secretary may, in his discretion, authorise the provisional writing-off of a debt which arose as a result of an error not intentionally contributed to by the debtor if the Secretary is satisfied that the person receiving the amount so paid in error did so in good faith and has altered his position in reliance on the validity of the payment that it would be inequitable in all the circumstances, including his financial circumstances, to require repayment.”

17. **Pensions not to be taken into account in assessing compensation or damages**—Section 91 of the principal Act is hereby amended by omitting the words “No account”, and substituting the words “Except as may be otherwise provided in this or any other Act, no account”.

New

17A. **Amending Police Act 1958**—Section 42 of the Police Act 1958 is hereby amended by adding the following subsection:

10 “(5) Nothing in this section shall apply in respect of service on or after the commencement of section 63 of the Accident Compensation Act 1972.”

17B. **Amending Civil Defence Act 1962**—Section 45 of the Civil Defence Act 1962 (as substituted by section 14 of the Civil Defence Amendment Act 1965 and amended by section 14 (3) of the Civil Defence Amendment Act 1968) is hereby further amended by adding the following subsection:

20 “(4) Nothing in this section shall apply in respect of the carrying out of civil defence work or participation in civil defence training on or after the commencement of section 63 of the Accident Compensation Act 1972.”

18. **Increasing rates of certain pensions in respect of period 1 October 1972 to 31 March 1973**—(1) In respect of the period commencing on the 1st day of October 1972 and ending with the 31st day of March 1973, the principal Act shall have effect as if the First, Fourth, and Seventh Schedules thereto (as substituted by section 9 (1) of the War Pensions Amendment Act 1972) had been amended in the manner indicated in the First Schedule to this Act.

30 (2) This section and the First Schedule to this Act shall be deemed to have come into force on the 1st day of October 1972.

19. **Increasing rates of attendants’ allowances on and after 1 January 1973**—(1) In respect of the period commencing on the 1st day of January 1973 and ending with the 31st day of July 1973 the Second Schedule to the principal Act (as substituted by section 9 (1) of the War Pensions Amendment Act 1972) shall have effect as if clause 1 had been amended by omitting the expression “\$16”, and substituting the expression “\$32”.

40 (2) This section shall be deemed to have come into force on the 1st day of January 1973.

20. Increasing income exemptions on and after 14 February 1973—(1) In respect of the period commencing on the 14th day of February 1973 and ending with the 5th day of June 1973, the principal Act shall have effect as if the Sixth, Seventh, and Twelfth Schedules thereto (as substituted by section 9 (1) of the War Pensions Amendment Act 1972) had been amended in the manner indicated in the Second Schedule to this Act. 5

(2) This section and the Second Schedule to this Act shall be deemed to have come into force on the 14th day of February 1973. 10

21. Increasing rates of certain pensions and allowances in respect of period 1 April 1973 to 5 June 1973—(1) In respect of the period commencing on the 1st day of April 1973 and ending with the 5th day of June 1973, the principal Act shall have effect as if the First, Fourth, and Seventh Schedules thereto (as substituted by section 9 (1) of the War Pensions Amendment Act 1972) had been amended in the manner indicated in the Third Schedule to this Act. 15

(2) This section and the Third Schedule to this Act shall be deemed to have come into force on the 1st day of April 1973. 20

22. Increasing rates of certain pensions and allowances in respect of period 6 June 1973 to 31 July 1973—(1) In respect of the period which commenced on the 6th day of June 1973 and ended with the 31st day of July 1973, the principal Act shall have effect as if the First, Third to Seventh, Eleventh, and Twelfth Schedules thereto (as substituted by section 9 (1) of the War Pensions Amendment Act 1972) had been amended in the manner indicated in the Fourth Schedule to this Act. 25

(2) This section and the Fourth Schedule to this Act shall be deemed to have come into force on the 6th day of June 1973. 30

23. Increasing rates of certain pensions and allowances on and after 1 August 1973—(1) The principal Act is hereby further amended by repealing the First to Seventh, Ninth, Eleventh, and Twelfth Schedules (as substituted by section 9 (1) of the War Pensions Amendment Act 1972), and substituting the First to Seventh, Ninth, Eleventh, and Twelfth Schedules set out in the Fifth Schedule to this Act. 35
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(2) Sections 8 and 9 of, and the First and Second Schedules to, the War Pensions Amendment Act 1972 are hereby repealed.

(3) Notwithstanding anything in this section or in the 5 Fourth Schedule to the principal Act (as substituted by subsection (1) of this section), a mother's allowance may continue to be paid under subsection (2) of section 32 of the principal Act, at such rate and for such period as a War Pensions Board determines, to any widow who is not receiving an economic pension under Part III of the principal Act or a social security benefit under Part I of the Social Security Act 1964.

(4) This section and the Fifth Schedule to this Act shall be deemed to have come into force on the 1st day of August 15 1973.

24. Authority to increase rates of pensions and allowances—(1) Notwithstanding anything to the contrary in the principal Act, the Board may, in accordance with any general 20 or special instructions given by the Minister, in respect of the period commencing on the 1st day of December 1972 and ending with the 31st day of December 1972, increase the rate of any pension or allowance under the principal Act by an amount not exceeding the rate of that pension 25 or allowance payable in respect of any 1 week in that period.

(2) This section shall be deemed to have come into force on the 1st day of December 1972.

SCHEDULES

Section 18 (1)

FIRST SCHEDULE

AMENDMENTS TO PRINCIPAL ACT INCREASING RATES OF CERTAIN PENSIONS IN RESPECT OF PERIOD 1 OCTOBER 1972 TO 31 MARCH 1973

Schedule Amended	Amendment
First Schedule	By omitting from clause 1 the expression "\$15.40", and substituting the expression "\$17.20". By omitting from clause 2 the expression "\$9.20", and substituting the expression "\$10.40".
Fourth Schedule	By omitting from clause 1 the expression "\$11.35", and substituting the expression "\$12.60". By omitting from clause 3 the expression "\$11.35", and substituting the expression "\$12.60". By omitting from clause 5 the expression "\$11.35", and substituting the expression "\$12.60".
Seventh Schedule	By omitting from clause 3 the expression "\$1,682.20", and substituting the expression "\$1,747.20".

SECOND SCHEDULE

Section 20 (1)

AMENDMENTS TO PRINCIPAL ACT INCREASING INCOME EXEMPTIONS
ON AND AFTER 14 FEBRUARY 1973

Schedule Amended	Amendment
Sixth Schedule	By omitting from clause 1 (a) the expression "\$12", and substituting the expression "\$17". By omitting from clause 1 (b) the expression "\$10", and substituting the expression "\$13".
Seventh Schedule	By omitting from clause 1 (a) the expression "\$520", and substituting the expression "\$676". By omitting from clause 1 (b) the expression "\$520", and substituting the expression "\$676". By omitting from clause 1 (c) the expression "\$520", and substituting the expression "\$676". By omitting from clause 1 (d) the expression "\$1,430", and substituting the expression "\$1,586".
Twelfth Schedule	By omitting from clause 1 (a) the expression "\$520", and substituting the expression "\$676". By omitting from clause 1 (b) the expression "\$520", and substituting the expression "\$676". By omitting from clause 1 (c) the expression "\$520", and substituting the expression "\$676". By omitting from clause 1 (d) the expression "\$1,430", and substituting the expression "\$1,586".

*War Pensions Amendment*Section 21 (1)

THIRD SCHEDULE

AMENDMENTS TO PRINCIPAL ACT INCREASING RATES OF CERTAIN PENSIONS AND ALLOWANCES IN RESPECT OF PERIOD 1 APRIL 1973 TO 5 JUNE 1973

Schedule Amended	Amendment
First Schedule	<p>By omitting from clause 1 the expression "\$15.40", and substituting the expression "\$17.70".</p> <p>By omitting from clause 2 the expression "\$9.20", and substituting the expression "\$10.65".</p> <p>By omitting from clause 3 the expressions "\$1.35", "\$1.25", "92c", and "92c", and substituting respectively the expressions "\$1.90", "\$1.80", "\$1.30", and "\$1.30".</p>
Fourth Schedule	<p>By omitting from clause 1 the expression "\$11.35", and substituting the expression "\$13.05".</p> <p>By omitting from clause 3 the expression "\$11.35", and substituting the expression "\$13.05".</p> <p>By omitting from clause 5 the expression "\$11.35", and substituting the expression "\$13.05".</p>
Seventh Schedule	<p>By omitting from clause 3 the expression "\$1,682.20", and substituting the expression "\$1,770.60".</p>

FOURTH SCHEDULE

Section 22 (1)

AMENDMENTS TO PRINCIPAL ACT INCREASING RATES OF CERTAIN PENSIONS AND ALLOWANCES IN RESPECT OF PERIOD 6 JUNE 1973 TO 31 JULY 1973

Schedule Amended	Amendment
First Schedule	By omitting from clause 1 the expression "\$15.40", and substituting the expression "\$17.70". By omitting from clause 2 the expression "\$9.20", and substituting the expression "\$10.65". By omitting from clause 3 the expressions "\$1.35", "\$1.25", "92c", and "92c", and substituting respectively the expressions "\$1.90", "\$1.80", "\$1.30", and "\$1.30".
Third Schedule	By omitting from clause 1 the expression "\$17.50", and substituting the expression "\$18.75".
Fourth Schedule	By omitting from clause 1 the expression "\$11.35", and substituting the expression "\$13.05". By omitting from clause 2 the expression "\$11", and substituting the expression "\$12". By omitting from clause 3 the expression "\$11.35", and substituting the expression "\$13.05". By omitting from clause 5 the expression "\$11.35", and substituting the expression "\$13.05".
Fifth Schedule	By omitting from clause 2 the expression "\$11.05", and substituting the expression "\$12.05".
Sixth Schedule	By omitting from clause 1 (a) the expression "\$12", and substituting the expression "\$17". By omitting from clause 1 (b) the expression "\$10", and substituting the expression "\$13". By omitting from clause 3 (a) the expression "\$17.50", and substituting the expression "\$18.75". By omitting from clause 3 (b) the expression "\$17.50", and substituting the expression "\$18.75". By omitting from clause 3 (c) (i) the expression "\$17.50", and substituting the expression "\$18.75".

FOURTH SCHEDULE—*continued*

AMENDMENTS TO PRINCIPAL ACT INCREASING RATES OF CERTAIN PENSIONS AND ALLOWANCES IN RESPECT OF PERIOD 6 JUNE 1973 TO 31 JULY 1973—*continued*

Schedule Amended	Amendment
Sixth Schedule— <i>continued</i>	<p>By omitting from clause 3 (c) (ii) the expression "\$15.25", and substituting the expression "\$16.50".</p> <p>By omitting from clause 3 (d) the expression "\$17.50", and substituting the expression "\$18.75".</p> <p>By omitting from clause 6 the expression "\$3.50", and substituting the expression "\$3.75".</p>
Seventh Schedule	<p>By omitting from clause 1 (a) the expression "\$910", and substituting the expression "\$975".</p> <p>By omitting from clause 1 (a) the expression "\$520", and substituting the expression "\$676".</p> <p>By omitting from clause 1 (b) the expression "\$1,820", and substituting the expression "\$1,950".</p> <p>By omitting from clause 1 (b) the expression "\$520", and substituting the expression "\$676".</p> <p>By omitting from clause 1 (c) the expression "\$910", and substituting the expression "\$975".</p> <p>By omitting from clause 1 (c) the expression "\$520", and substituting the expression "\$676".</p> <p>By omitting from clause 1 (d) the expression "\$910", and substituting the expression "\$975".</p> <p>By omitting from clause 1 (d) the expression "\$1,430", and substituting the expression "\$1,651".</p> <p>By omitting from clause 1 (d) the expression "\$2,210" in both places where it occurs, and substituting in each case the expression "\$2,275".</p> <p>By omitting from the proviso to clause 1 (d) the expression "\$910", and substituting the expression "\$975".</p> <p>By omitting from clause 3 the expression "\$1,682.20", and substituting the expression "\$1,848.60".</p> <p>By omitting from clause 4 the expression "\$182", and substituting the expression "\$195".</p>

FOURTH SCHEDULE—*continued*

AMENDMENTS TO PRINCIPAL ACT INCREASING RATES OF CERTAIN PENSIONS AND ALLOWANCES IN RESPECT OF PERIOD 6 JUNE 1973 TO 31 JULY 1973—*continued*

Schedule Amended	Amendment
Eleventh Schedule	<p>By omitting from clause 1 (a) the expression "\$572", and substituting the expression "\$624".</p> <p>By omitting from clause 3 (a) the expression "\$11", and substituting the expression "\$12".</p>
Twelfth Schedule	<p>By omitting from clause 1 (a) the expression "\$910", and substituting the expression "\$975".</p> <p>By omitting from clause 1 (a) the expression "\$520", and substituting the expression "\$676".</p> <p>By omitting from clause 1 (b) the expression "\$1,820", and substituting the expression "\$1,950".</p> <p>By omitting from clause 1 (b) the expression "\$520", and substituting the expression "\$676".</p> <p>By omitting from clause 1 (c) the expression "\$910", and substituting the expression "\$975".</p> <p>By omitting from clause 1 (c) the expression "\$520", and substituting the expression "\$676".</p> <p>By omitting from clause 1 (d) the expression "\$910", and substituting the expression "\$975".</p> <p>By omitting from clause 1 (d) the expression "\$1,430", and substituting the expression "\$1,651".</p> <p>By omitting from clause 1 (d) the expression "\$2,210" in both places where it occurs, and substituting in each case the expression "\$2,275".</p> <p>By omitting from the proviso to clause 1 (d) the expression "\$910", and substituting the expression "\$975".</p> <p>By omitting from clause 3 the expression "\$1,976", and substituting the expression "\$2,106".</p> <p>By omitting from clause 4 the expression "\$182", and substituting the expression "\$195".</p>

Section 23 (1)

FIFTH SCHEDULE

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

(Effective on and after 1 August 1973)

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 \$17.70 a week.
2. Under section 23—
In certain cases of severe disablement
(additional pension) \$10.65 a week.
3. Under section 28—
Clothing allowance (additional pension) as
follows—
 - (a) Loss of 2 limbs or parts \$1.90 a week.
 - (b) Loss of leg or part \$1.80 a week.
 - (c) Loss of arm or part \$1.30 a week.
 - (d) Use of mechanical appliance, etc. \$1.30 a week.

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.

Sections 29, 62, 65

"SECOND SCHEDULE

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

1. Under section 29—
In every case \$32 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.

FIFTH SCHEDULE—continued

“THIRD SCHEDULE Sections 30, 62, 65

MAXIMUM RATES OF PENSIONS FOR WIVES OF TOTALLY DISABLED MEMBERS

Part I—Members of Forces

- 1. Under section 30—
In every case \$19.75 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.

Part IV—General

4. The rate specified in clauses 1, 2, and 3 of this Schedule may, in the discretion of a War Pensions Board, be increased by the appropriate amount specified in the Eleventh Schedule to this Act if the wife has the care of a dependent child or children and her husband is in receipt of an economic pension under Part III of this Act.

“FOURTH SCHEDULE Sections 32, 62, 65

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 \$13.05 a week.
- 2. Under section 32 (2)—
Additional mother's allowance to a widow—
(a) On account of first or only dependent child \$12.80 a week.
(b) On account of second dependent child \$3 a week.
(c) On account of each additional dependent child after the second \$1.25 a week.

Part II—Members of Mercantile Marine

- 3. Under section 32 (1) as applied by section 62—
To the widow in every case \$13.05 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.

*War Pensions Amendment*FIFTH SCHEDULE—*continued*"FOURTH SCHEDULE—*continued**Part III—Members of Emergency Reserve Corps*

5. Under section 32 (1) as applied by section 65—
To the widow in every case \$13.05 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 \$3 a week.
2. Under section 40—
In certain cases where parents dead, or child
not under control of its mother \$12.55 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.

FIFTH 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 supported 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 Pensions 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 \$19.75 a week.
- (b) To the widow of a deceased member of the forces \$19.75 a week.
- (c) To the widowed mother of a deceased member of the forces—
 - (i) Where the claimant was wholly dependent on the member or was the mother of 2 or more sons, being deceased members of the forces \$19.75 a week.
 - (ii) In any other case \$17.50 a week.
- (d) To any person in receipt of a pension under section 55 or section 56 in respect of his own disablement \$19.75 a week.
- (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.

FIFTH SCHEDULE—*continued*"SIXTH SCHEDULE—*continued*

- (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. (a) The rates specified in clauses 3, 4, and 5 of this Schedule shall be increased by \$3.95 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.

(b) The rates specified in clauses 3, 4, and 5 of this Schedule may, in the discretion of a War Pensions Board, be increased by the appropriate amount specified in the Eleventh Schedule to this Act if the pensioner has the care of a dependent child or children.

FIFTH SCHEDULE—continued

“SEVENTH SCHEDULE Sections 69, 70, 74

RATES OF WAR VETERANS' ALLOWANCES

1. Under section 69—

- (a) To an unmarried veteran \$1,027 a year, diminished by \$1 for every complete \$2 of the total annual income of the veteran in excess of \$676 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of such income in excess of \$1,300 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 \$2,054 a year, diminished by \$1 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 \$676 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of such income in excess of \$1,300 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 \$1,027 a year, diminished by 50c for every complete \$2 of the total annual income of the veteran and his or her spouse in excess of \$676 a year but not in excess of \$1,300 a year, and by \$1.50 for every complete \$4 of such income in excess of \$1,300 a year.
- (d) To any other married veteran \$1,027 a year, diminished by \$1 for every complete \$2 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 \$1,703 a year but not in excess of \$2,327 a year, and by \$3 for every complete \$4 of such income, including superannuation benefit, in excess of \$2,327 a year:

War Pensions Amendment

FIFTH SCHEDULE—*continued*
 “SEVENTH SCHEDULE—*continued*

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 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 \$1,027 a year.

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.
 - (b) Where a married female veteran has attained the age of 65 years \$78 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.
3. Under section 74—
 Special allowance where veteran dies leaving widow or dependent child Not exceeding \$1,911 a year.
4. General—
- (a) The rates specified in clause 1 of this Schedule shall be increased by \$205.40 a year in any case where the person claiming or in receipt of the allowance is an unmarried person.
 - (b) The rates specified in clause 1 of this Schedule may, in the discretion of a War Pensions Board, be increased by the appropriate amount specified in the Eleventh Schedule to this Act if the veteran or the wife of the veteran has the care of a dependent child or children.
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FIFTH 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’.

FIFTH SCHEDULE—*continued*

Section 75b

"ELEVENTH SCHEDULE

ADDITIONAL AMOUNTS FOR DEPENDENT CHILDREN

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 \$665.60 a year.
 - (b) On account of second dependent child \$156 a year.
 - (c) On account of each additional dependent child after the second \$65 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 \$65 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 \$12.80 a week.
 - (b) On account of second dependent child \$3 a week.
 - (c) On account of each additional dependent child after the second \$1.25 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 \$1.25 a week.
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FIFTH SCHEDULE—*continued*

“TWELFTH SCHEDULE Sections 66E, 66F, 66J

RATES OF WAR SERVICE PENSIONS

1. Under section 66E—

- (a) To an unmarried serviceman \$1,027 a year, diminished by \$1 for every complete \$2 of the total annual income of the serviceman in excess of \$676 a year but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of such income in excess of \$1,300 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 \$2,054 a year, diminished by \$1 for every complete \$2 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 but not in excess of \$1,300 a year, and by \$3 for every complete \$4 of such income in excess of \$1,300 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 \$1,027 a year, diminished by 50c for every complete \$2 of the total annual income of the serviceman and his or her spouse in excess of \$676 a year but not in excess of \$1,300 a year, and by \$1.50 for every complete \$4 of such income in excess of \$1,300 a year.
- (d) To any other married serviceman \$1,027 a year, diminished by \$1 for every complete \$2 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 \$1,703 a year but not in excess of \$2,327 a year, and by \$3 for every complete \$4 of such income, including superannuation benefit, in excess of \$2,327 a year:

*War Pensions Amendment*FIFTH SCHEDULE—*continued*"TWELFTH SCHEDULE—*continued*

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 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 the rate of pension payable hereunder shall not exceed \$1,027 a year.

2. Under section 66F—

Age supplement—

- (a) Where a married male serviceman and his wife have both attained the age of 65 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 a widow or dependent child or children A rate not exceeding \$2,210 a year, plus additional pension for dependent child or children (if any).

4. General—

- (a) The rates specified in clause 1 of this Schedule shall be increased by \$205.40 a year in any case where the person claiming or in receipt of the pension is an unmarried person.
- (b) The rates specified in clause 1 of this Schedule may, in the discretion of a War Pensions Board, be increased by the appropriate amount specified in the Eleventh Schedule to this Act if the pensioner or the wife of the pensioner has the care of a dependent child or children."