

WAR PENSIONS AMENDMENT BILL (NO. 3)

EXPLANATORY NOTE

Clause 1 relates to the Short Title.

Clause 2 increases the rates of mothers' allowances payable in conjunction with war widows' pensions, and of family maintenance allowances payable in conjunction with economic pensions and war veterans' allowances, on and after 8 July 1970.

Mothers' allowances are increased by \$1 a week for the first or only dependent child, and 50c a week for each additional dependent child.

Family maintenance allowances payable to unmarried persons are increased by \$1 a week for the first or only dependent child, and 50c a week for each additional dependent child.

Family maintenance allowances payable to married persons. Prior to 8 July 1970, no allowance was paid in respect of a first or only dependent child. An allowance of \$1 a week is payable on and after that date. The allowance for a second dependent child is increased by 75c a week, and for dependent children after the second by 50c a week on and after that date. Thus family maintenance allowances payable to married persons during the period 8 July 1970 to 1 September 1970 were \$1 a week for the first or only dependent child, and \$1.50 a week for each additional dependent child.

Clause 3 increases, on and after 2 September 1970, the following war pensions and allowances:

- (a) Economic pensions payable in conjunction with—
 - (i) Disablement pensions;
 - (ii) Widows' pensions; and
 - (iii) Widowed mothers' pensions;
- (b) Wives' pensions:
- (c) War veterans' allowances and war veterans' allowances gratuities:
 - Increase of \$1 a week in respect of unmarried persons and, where applicable, \$2 a week in respect of married persons.
- (d) War orphans' pensions:
 - Increase of \$1 a week.
- (e) Mothers' allowances payable in conjunction with war widows' pensions:
- (f) Family maintenance allowances payable in conjunction with economic pensions and war veterans' allowances:
 - Increase of \$1 a week in respect of the first or only dependent child.

In addition, this clause increases allowable incomes as follows:

In respect of women, with a dependent child or children, receiving war widows' pensions, the allowable income is increased by \$2 a week to \$17 a week.

In other cases, where the allowable income is \$11 a week, the allowable income is increased by \$2 a week to \$13 a week.

NOTE—The new First, Second, and Ninth Schedules to the principal Act set out in the Schedule to the Bill are unchanged. They are being re-enacted so that all of the Schedules will appear in one Act.

Hon. Mr Thomson

WAR PENSIONS AMENDMENT (NO. 3)

ANALYSIS

Title
1. Short Title

- 2. Increasing rates of mother's allowance and family maintenance allowance in respect of period 8 July 1970 to 1 September 1970
- 3. Increasing rates of certain pensions and allowances on and after 2 September 1970

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 the same,
5 as follows:

1. Short Title—This Act may be cited as the War Pensions Amendment Act (No. 3) 1970, and shall be read together with and deemed part of the War Pensions Act 1954* (hereinafter referred to as the principal Act).

10 **2. Increasing rates of mother's allowance and family maintenance allowance in respect of period 8 July 1970 to 1 September 1970**—(1) In respect of the period commencing

*1957 Reprint, Vol. 16, p. 475

Amendments: 1958, No. 45; 1960, No. 14; 1961, No. 7; 1962, No. 21; 1963, No. 125; 1964, No. 49; 1965, No. 27; 1966, No. 41; 1967, No. 5; 1968, No. 56; 1969, No. 48; 1970, No. 10

No. 138—1

on the 8th day of July 1970 and ending with the 1st day of September 1970, the principal Act shall have effect as if the Fourth and Eleventh Schedules thereto (as substituted by section 2 of the War Pensions Amendment Act 1970) had been amended in the manner indicated in the First Schedule to this Act. 5

(2) This section and the First Schedule to this Act shall be deemed to have come into force on the 8th day of July 1970.

3. Increasing rates of certain pensions and allowances on and after 2 September 1970—(1) The principal Act is hereby amended by repealing the First to Seventh, Ninth, and Eleventh Schedules (as substituted by section 2 of the War Pensions Amendment Act 1970), and substituting the First to Seventh, Ninth, and Eleventh Schedules set out in the Second Schedule to this Act. 10 15

(2) The War Pensions Amendment Act 1970 is hereby repealed.

(3) This section and the Second Schedule to this Act shall be deemed to have come into force on the 2nd day of September 1970. 20

SCHEDULES

FIRST SCHEDULE

Section 2 (1)

AMENDMENTS TO PRINCIPAL ACT INCREASING RATES OF MOTHER'S ALLOWANCE AND FAMILY MAINTENANCE ALLOWANCE IN RESPECT OF PERIOD 8 JULY 1970 TO 1 SEPTEMBER 1970

Schedule Amended	Amendment
Fourth Schedule	<p>By omitting from clause 2 (a) the expression "\$10.00", and substituting the expression "\$11".</p> <p>By omitting from clause 2 (b) the expression "\$1.00", and substituting the expression "\$1.50".</p>
Eleventh Schedule	<p>By omitting from clause 1 (a) the expression "\$520", and substituting the expression "\$572".</p> <p>By omitting from clause 1 (b) the expression "\$52", and substituting the expression "\$78".</p> <p>By omitting from clause 2 (a) the word "second", and substituting the words "first or only".</p> <p>By omitting from clause 2 (a) the expression "\$39", and substituting the expression "\$52".</p> <p>By omitting from clause 2 (b) the word "second", and substituting the word "first".</p> <p>By omitting from clause 2 (b) the expression "\$52", and substituting the expression "\$78".</p> <p>By omitting from clause 3 (a) the expression "\$10", and substituting the expression "\$11".</p> <p>By omitting from clause 3 (b) the expression "\$1", and substituting the expression "\$1.50".</p> <p>By omitting from clause 4 (a) the word "second", and substituting the words "first or only".</p> <p>By omitting from clause 4 (a) the expression "75c", and substituting the expression "\$1".</p> <p>By omitting from clause 4 (b) the word "second", and substituting the word "first".</p> <p>By omitting from clause 4 (b) the expression "\$1", and substituting the expression "\$1.50".</p>

4 War Pensions Amendment (No. 3)

Section 3 (1) SECOND SCHEDULE
NEW FIRST TO SEVENTH, NINTH, AND ELEVENTH SCHEDULES TO
PRINCIPAL ACT

(Effective on and after 2 September 1970)

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 \$13.30 a week
2. Under section 23—
In certain cases of severe disablement (additional
pension) \$7.90 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

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 \$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.
-

SECOND SCHEDULE—*continued*

“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 \$13.50 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.

“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 \$9.80 a week
2. Under section 32 (2)—
 Additional mother's allowance to a widow—
 (a) On account of first or only dependent child \$12 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 \$9.80 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 \$9.80 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.

SECOND SCHEDULE—*continued*

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 | | \$9.30 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.

Sections 59, 60, 62, 65 "SIXTH SCHEDULE

MAXIMUM RATES OF ECONOMIC PENSIONS AND ALLOWABLE INCOME

Part I—Members of Forces

1. Under section 59—
Allowable income 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 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.

SECOND SCHEDULE—*continued*

“SIXTH SCHEDULE—*continued*”

3. Under section 60—

Economic pension, as follows—

- | | |
|--|--|
| (a) To any member of the forces | \$13.50 a week |
| (b) To the widow of a deceased member of the forces | \$13.50 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 two or more sons, being deceased members of forces | \$13.50 a week |
| (ii) In any other case | \$11.25 a week |
| (d) To any person in receipt of a pension under section 55 or section 56 in respect of his own disablement | \$13.50 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. |
| (f) To any person who is disqualified from receiving a pension under section 56 by reason only that the pension 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. |

*War Pensions Amendment (No. 3)*SECOND SCHEDULE—*continued*"SIXTH 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.

Part IV—General

6. The rates specified in clauses 3, 4, and 5 of this Schedule shall be increased by \$1.25 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.

Sections 69, 70, 74

"SEVENTH SCHEDULE

RATES OF WAR VETERANS' ALLOWANCES

- | | |
|---|---|
| 1. Under section 69— | \$1,404 a year, diminished by \$2 |
| (a) To a married male veteran who is qualified to receive an allowance on account of his wife, in respect of himself and his wife | 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. |
| (b) To a married female veteran | \$702 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 \$1,378 a year. |
| (c) In any other case | \$702 a year, diminished by \$2 for every complete \$2 of the total annual income (exclusive of any allowance under Part VI of this Act) of the veteran and his wife (if any) in excess of \$1,378 a year in the case of a married veteran and in excess of \$676 a year in the case of an unmarried veteran. |

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 \$1,300 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 \$1,276.60 a year.
4. General—
- The rates specified in clause 1 of this Schedule shall be increased by \$65 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

Section 21

"NINTH SCHEDULE

PENSIONS PAYABLE FOR SPECIFIC DISABILITIES

Nature of Disability	Percentage of Full Pension Payable in Cases of Total Disablement
	Percent
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*

“ELEVENTH SCHEDULE

Section 75B

MAXIMUM RATES OF FAMILY MAINTENANCE ALLOWANCES

1. To any veteran receiving a war veteran's allowance at the rate payable to an unmarried person—
 - (a) On account of first or only dependent child \$624 a year
 - (b) On account of each additional dependent child after the first \$78 a year
2. To any veteran receiving or qualified to receive a war veteran's allowance in respect of himself and his wife, or the wife of any such veteran—
 - (a) On account of first or only dependent child \$104 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 \$12 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 \$2 a week
 - (b) On account of each additional dependent child after the first \$1.50 a week”