



# Debts (Deceased Servicemen etc) Act 1893

1893 CHAPTER 5 56 and 57 Vict

*Application of Act to special Cases*

## **22 Special provision as to an army paymaster.**

In the application of this Act to an army paymaster, the following modifications shall be made:

- (1) The powers and duties of the committee of adjustment shall arise immediately on his death, and shall continue notwithstanding that the professional charges are paid or secured:
- (2) Money in the possession or under the control of an army paymaster at his death shall not be considered to be comprised in his effects for the purposes of this Act:
- (3) The surplus in the hands of the committee of adjustment and the residue in the hands of a Secretary of State shall be dealt with and disposed of as may be prescribed and not according to the foregoing provisions of this Act.

## **23 Application of Act to deserters, felons, &c.**

Where a person subject to [<sup>F1</sup> service law] deserts, or is absent without leave for twenty-one days, [<sup>F2</sup> or, in consequence of a conviction by or before a court of ordinary criminal jurisdiction, <sup>F3</sup> ... is imprisoned or detained to serve a sentence of three months or more], ... <sup>F4</sup>, the provisions of this Act shall apply as if the person were dead, subject to the following modifications:

- (1) The powers of the committee of adjustment shall arise and continue notwithstanding that the preferential charges are paid or secured:
- (2) The committee of adjustment shall dispose of the surplus in the prescribed manner, and the same when so disposed of shall be free from all claim on the part of the said person or any one claiming through him.

*Changes to legislation: There are currently no known outstanding effects for the Debts (Deceased Servicemen etc) Act 1893, Cross Heading: Application of Act to special Cases. (See end of Document for details)*

**Textual Amendments**

- F1** Words in Act substituted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 16 para. 6](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F2** Words substituted by [Criminal Law Act 1967 \(c. 58\)](#), s. [11\(2\)\(b\)](#), Sch. 2 para. 10
- F3** Words in s. 23 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), Sch. 16 para. 7, [Sch. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F4** Words repealed by [Revision of the Army and Air Force Acts \(Transitional Provisions\) Act 1955 \(c. 20\)](#), [Sch. 4](#)

**Modifications etc. (not altering text)**

- C1** S. 23 modified (24.4.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), art. 1(3), [Sch. 1 para. 1\(2\)](#)

**24 Application of Act to case of insanity.**

Where a person subject to [<sup>F1</sup>service law] law is ascertained in the prescribed manner to be insane, the provisions of this Act shall apply as if he had died at the time of his insanity being so ascertained, subject nevertheless to the prescribed exceptions, and to the following modifications:

- (a) The preferential charges may be paid by the [<sup>F5</sup>wife, husband or civil partner] of the insane person, or by any person who, subject to the prescribed regulations, appears to be a relative of or person undertaking the care of the insane person or of his property:
- (b) The committee of adjustment shall dispose of the surplus in the prescribed manner with a view to its being applied for the benefit of the insane person.

**Textual Amendments**

- F1** Words in Act substituted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 16 para. 6](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F5** Words in s. 24(a) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(8)(a), [Sch. 26 para. 7](#); S.I. 2005/3175, art. 2(1), Sch. 1

**25** ..... <sup>F6</sup>  
**27.**

**Textual Amendments**

- F6** Ss. 25—27 repealed by [Statute Law Revision Act 1966 \(c. 5\)](#), s. [28](#)

**28** ..... <sup>F7</sup>

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**Changes to legislation:** *There are currently no known outstanding effects for the Debts (Deceased Servicemen etc) Act 1893, Cross Heading: Application of Act to special Cases. (See end of Document for details)*

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**Textual Amendments**

**F7** S. 28 repealed by S.R. & O. 1937/230 (Rev. X, p. 545: 1937, p. 963)

**Changes to legislation:**

There are currently no known outstanding effects for the Debts (Deceased Servicemen etc) Act 1893, Cross Heading: Application of Act to special Cases.