

SCHEDULE

THE MERCHANT SHIPPING ACT, 1894 57 & 58 VICT.C.60

1. For the heading to sections 182 and 183, the following heading shall be substituted, that is to say, “Expenditure in connexion with the Maintenance or Assistance of Seamen’s Families.”

2. In section 182,
in subsection (1)—

for the words from “his wife” to “to be reimbursed” there shall be substituted the words—

- “(i) assistance is granted under Part II of the National Assistance Act, 1948, (hereinafter called “the Act of 1948”) by reference to the requirements of his wife or any children whom he is liable to maintain in accordance with the provisions of section 42 of that Act; or
- (ii) accommodation is provided by a local authority under Part III of the Act of 1948 for his wife or any such children, and payment for that accommodation is not made at the standard rate fixed therefor or, where such accommodation is temporary accommodation provided for less than a week or in special circumstances, payment is not made at such rate as the local authority may determine; or
- (iii) any child is received into care by a local authority under section 1 of the Children Act, 1948, in such circumstances that the seaman becomes liable to make contributions in respect of that child under the Children and Young Persons Act, 1933, or, if the child is a child received into care by a local authority in Scotland, under the Children and Young Persons (Scotland) Act, 1937,

then the National Assistance Board or any local authority concerned shall be entitled”;

for the words from “any sums properly expended” to “any of them, so that” there shall be substituted the words “to be reimbursed any sums properly expended during his absence in the grant of assistance under Part II of the Act of 1948, or the provision of accommodation under Part III thereof, to or for those members of his family or any of them, or to receive contributions in respect of any sums so expended as aforesaid in the maintenance of any child under the Children Act, 1948, so, however, that”; and

for the word “chargeable” in paragraphs (a) and (b) there shall be substituted the words “granted assistance or provided with accommodation or maintained as aforesaid”; and

in subsection (2)—

there shall be inserted after the word “reimbursement” the words “or contributions.”

3. In section 183,
in subsection (1)—

there shall be inserted after the word “reimbursement” the words “or contributions”;

for the words from “the board of guardians” to “Scotland” there shall be substituted the words “the National Assistance Board or the local authority”; and

for the words “to the board or inspector” there shall be substituted the words “to the Board or the local authority”;

in subsection (3)—

for the words “the board or inspector”, in both places where they occur, there shall be substituted the words “the Board or the local authority”;

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for the words “having jurisdiction in the union or parish” there shall be substituted the words “having jurisdiction in the place where the assistance under Part II of the Act of 1948 was given or applied for or the place where the accommodation was provided under Part III thereof or application was made for the provision thereof or, in the case of a local authority into whose care a child has been received under section 1 of the Children Act, 1948, having jurisdiction in the area of that local authority”;

there shall be inserted after the word “reimbursement”, in the first place where it occurs, the words “or, as the case may be, requiring contributions to be made” and in the last place where it occurs, the words “or contributions”;

there shall be inserted after the words “think fit” the words “or, as the case may require, may make an order requiring such contributions to be made as the court having regard to the seaman’s means thinks fit”; and

the following proviso shall be added, that is to say, “Provided that any sums contributed under this subsection in respect of the maintenance of a child under the Children Act, 1948, shall be paid over to the Secretary of State, subject to such deductions therefrom as may for the time being be prescribed by regulations made under subsection (3) of section 86 of the Children and Young Persons Act, 1933, or, in the case of such maintenance of a child in Scotland, under subsection (3) of section 90 of the Children and Young Persons (Scotland) Act, 1937, in relation to contributions paid over to the Secretary of State under the said subsection, and shall be dealt with by the Secretary of State as if they were sums which had been received by him under the said subsection”; and

in subsection (4)—

there shall be inserted after the word “reimbursement” the words “or contributions”.

4. In section 184,

in subsection (1)—

for the words “becomes chargeable on the poor rate or” there shall be substituted the words “he is granted assistance by the National Assistance Board under Part II of the Act of 1948, or he is provided with accommodation by a local authority under Part III of that Act and payment for that accommodation is not made at the standard rate fixed therefor or, where such accommodation is temporary accommodation provided for less than a week or in special circumstances, at such rate as the local authority may determine, or he”; and

in subsection (2)—

for the words “relief or” there shall be substituted the words “expenditure incurred by the Board or the local authority in granting that assistance or providing that accommodation or towards the”.

The Merchant Shipping Act, 1906 6 Edw. 7. c. 48.

In section 28, in subsection (8), there shall be inserted after the words “reimbursement of” the words “or contributions in respect of”, and for the words “any union or parish” there shall be substituted the words “the National Assistance Board or any local authority”.

Children and Young Persons Act, 1933 23 Geo. 5. c. 12.

In section 1, in paragraph (a) of subsection (2), for the words “the Acts relating to the relief of the poor” there shall be substituted the words “the enactments applicable in that behalf”.

In section 65, for the words from the beginning of the section to the words “the authority” there shall be substituted the words “Where a local authority for the purposes of the Children Act, 1948, satisfy a juvenile court that any child or young person in their care under section 1 of the said Act either by virtue thereof or by virtue of sub-paragraph (1) of paragraph 1 of the Second Schedule thereto”.

Children and Young Persons (Scotland) Act, 1937 1 Edw. 8 & 1 Geo. 6. c. 37.

In section 12, in paragraph (a) of subsection (2), for the words, “the Acts relating to the relief of the poor” there shall be substituted the words “the enactments applicable in that behalf”.

In section 69, for the words from the beginning of the section to the words “the authority” there shall be substituted the words. “Where a local authority for the purposes of the Children Act, 1948, satisfy a juvenile court that any child or young person in their care under section 1 of the said Act either by virtue thereof or by virtue of sub-paragraph (1) of paragraph 1 of the Second Schedule thereto”.

Polish Resettlement Act, 1947 10 & 11 Geo. 6. c. 19.

In section 3,

in subsection (2)—

for the words “other than medical needs as defined in the Unemployment Assistance Act, 1934” there shall be substituted the words “other than medical, surgical, optical, aural or dental needs”;

in subsection (5)—

for the words “rules made under the Unemployment Assistance Act, 1934” there shall be substituted the words “regulations made by virtue of subsection (3) of section 8 of the National Assistance Act, 1948”;

in subsection (7)—

for the provisions therein contained there shall be substituted the following provisions, that is to say, “Sections 45 and 52 of the National Assistance Act, 1948 (which provide respectively for the recovery of expenditure incurred by the Board in consequence of misrepresentation or non-disclosure, and for the prosecution of persons wilfully making false statements in connexion with the grant of benefits under that Act) shall apply as respects benefits under this section with the substitution, for references to expenditure incurred under that Act of references to expenditure incurred under this Act, and for references to any sum recoverable, or any benefit or liability, under that Act of references to any sum recoverable, or any benefit or liability, under this Act”;

in subsection (8)—

for the words from “to a petty sessional court” to the end of the subsection there shall be substituted the words “to a court of summary jurisdiction as is conferred upon them by section 43 of the National Assistance Act, 1948, in relation to a person by reference to whose requirements assistance is given or applied for, and the powers of the court under that section shall be exercisable on such complaint”;

in subsection (9)—

for the words “subsection (3) of section forty-eight of the Unemployment Assistance Act, 1934” there shall be substituted the words “subsection (4) of section 56 of the National Assistance Act, 1948”; and

in subsection (11)—

for the words from “section forty-seven of the Unemployment Assistance Act, 1934” to the end of the subsection there shall be substituted the words “section 61 of the National Assistance Act, 1948, and any sums received by the Board under this section or under section 43 or section 45 of that Act, as applied by this section, shall be paid into the Exchequer”.

In the schedule,

in paragraph 3—

for the words “who is deemed to be part of the step father's family for the purposes of the Poor Law Act, 1930” there shall be substituted the words “who would be deemed to be part of the step father's family for the purposes of the Poor Law Act, 1930, had that Act not been repealed”; and

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in the proviso to paragraph 4, for the words “the Act of 1934” there shall be substituted the words “section 53 of and the Fifth Schedule to the National Assistance Act, 1948”, and for the words “subsection (5) of section thirty-nine of the Act of 1934” there shall be substituted the words “subsection (1) of section 14 of the National Assistance Act, 1948”.