

1969 No. 1888

PENSIONS

The Pensioners' Declarations (Amendment) Rules 1969*Made* - - - 30th December 1969*Coming into Operation* 7th January 1970

The Minister for the Civil Service, in exercise of the powers conferred upon him by section 6 of the Appropriation Act 1957^(a) (hereafter in these Rules referred to as "the Act") and article 2(1)(c) of the Minister for the Civil Service Order 1968^(b), and of all other powers enabling him in that behalf, hereby makes the following Rules:—

1. These Rules may be cited as the Pensioners' Declarations (Amendment) Rules 1969, and shall come into operation on 7th January 1970.

2. The Interpretation Act 1889^(c) shall apply for the interpretation of these Rules as it applies for the interpretation of an Act of Parliament.

3. The Pensioners' Declarations Rules 1958^(d), as amended ^(e), shall be further amended as follows:—

- (a) by substituting for Rule 3(1) (which, subject as therein mentioned, provides an exemption from the requirement of a declaration under section 6 of the Act in relation to a payment falling due within 12 months of a previous declaration under that section) the following paragraphs:—

"(1) It shall not be necessary for a person to make a declaration under section 6 of the Act in relation to any payment in respect of a pension if he has made a declaration under that section in respect of that pension within the relevant period ending on the day on which that payment falls due:

Provided that the authority responsible for the payment of a pension may from time to time require the person receiving payments in respect of that pension to make a declaration in relation to the payment falling due on a specified day in each year, and, if they so require, the person receiving the payment shall first comply with the requirement in relation to the payment falling due on the day specified by the authority, notwithstanding that he has made a declaration within the relevant period ending on the day so specified.

(1A) In paragraph (1), the expression 'relevant period' means a period of 1 year, or such longer period not exceeding 3 years as the authority responsible for payment may from time to time specify in relation to any particular pension or class of pensions, as the case may be."; and

(a) 1957 c. 63. (b) S.I. 1968/1656 (1968 III, p. 4485). (c) 1889 c. 63.
(d) S.I. 1958/1041 (1958 II, p. 1803). (e) S.I. 1959/1343 (1959 II, p. 2011).

(b) by inserting at the end of Rule 3 the following paragraph:—

“(6) An authority responsible for the payment of pensions may, in respect of any particular case or class of cases, dispense with the requirement contained in Rule 1(1)(d) that the declaration under section 6 of the Act shall state the place of residence of the pensioner.”

Given under the Official Seal of the Minister for the Civil Service on
30th December 1969.

(L.S.)

K. H. McNeill,
Authorised by the Minister
for the Civil Service.

30th December 1969.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

Section 6 of the Appropriation Act 1957 provides that, subject to such exemptions as may be provided by or under Rules made by the Minister for the Civil Service by statutory instrument, a person shall not receive any payment out of moneys provided by Parliament for half-pay or for the Navy, Army, Air Force or Civil non-effective Services unless the declaration prescribed by Rules made by the Minister for the Civil Service has been made.

These rules make two changes in the Pensioners' Declaration Rules 1958 which prescribe the declaration to be made and provide for certain exemptions. The first change provides that instead of making annual declarations, the declaration to be made by the pensioner may be either annually or such longer period, not exceeding 3 years, as may be specified by the authority responsible for payment of the pension. The second change enables the pension paying authority to dispense with the requirement that the pensioner shall state his place of residence.