



Polish Resettlement Act 1947

1947 CHAPTER 19 10 and 11 Geo 6

1 Power to apply Royal Warrant as to pensions etc. to certain Polish forces.

- (1) The Minister of Pensions may, with the consent of the Treasury, make a scheme for applying, in relation to the disablement or death, in consequence of service under British command of members of—
- (a) the Polish naval detachment mentioned in the agreement made between His Majesty's Government in the United Kingdom and the Government of Poland on the eighteenth day of November, nineteen hundred and thirty-nine,
 - (b) the Polish armed forces organised and employed under British command in pursuance of the agreement made as aforesaid on the fifth day of August, nineteen hundred and forty,
 - (c) the Polish resettlement forces,

provisions of His Majesty's Royal Warrant of the twelfth day of April, nineteen hundred and forty-six, concerning retired pay, pensions and other grants for members of the military forces and of the nursing and auxiliary services thereof disabled, and for the widows, children, parents and other dependants of such members deceased, in consequence of service during the 1939 world war:

Provided that payments under a scheme made under this section shall be limited to such as fall due for payment before the expiration of five years from the passing of this Act, or such extended period, if any, as the Minister of Pensions, with the consent of the Treasury, may from time to time by order specify (but without prejudice to any provision which may be made by the scheme for the drawing thereafter of any such payments not drawn during that period, or the completion thereafter of pending proceedings on a claim which will, if successful, confer a title to payments which would have fallen due during that period had the claim been then accepted), and any such order may provide that the extension shall apply only to cases of any class or classes therein specified.

- (2) The scheme may also include provision, as regards cases in which periodical payments in respect of the disablement or death of members of Polish forces not falling within paragraph (a), (b) or (c) of the preceding subsection are being made out of moneys provided by Parliament at the date of the coming into operation of that provision, for

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the continuance of any of those payments during a period not longer than one year from that date.

- (3) Provisions of the said Royal Warrant applied by the scheme may be applied with modifications, or subject to conditions, limitations or exceptions, and the scheme shall contain provision for securing that no payment shall be made thereunder to or in respect of any person as to whom the Minister of Pensions is satisfied that he is resident in Poland.
- (4) The scheme, or any substituted scheme made under this subsection, may be amended by an order made by the Minister of Pensions with the consent of the Treasury, and, if it appears to him to be expedient, having regard to amendments made or to be made in any such scheme, that a new scheme should be substituted therefor, he may, with the consent of the Treasury, make a substituted scheme and thereby revoke the former scheme.
- (5) The scheme, or any substituted scheme or order made under the last preceding subsection, may provide that it shall come into operation, or shall be deemed to have come into operation, on such date as may be specified therein, whether before or after the passing of this Act, and different dates may be specified as respects different purposes or different provisions of the scheme or order.
- (6) A scheme or order made under this section shall, for the purpose of section three of the ^{M1}Rules Publication Act, 1893 (which relates to the printing of statutory rules), be deemed to be statutory rules within the meaning of that Act.
- (7) Payments under a scheme made under this section shall be made out of moneys provided by Parliament.

<p>.....</p> <p>Modifications etc. (not altering text)</p> <p>C1 S. 1 amended by S.I. 1978/1526, art. 2, Sch. Pt. I</p> <p>.....</p> <p>Marginal Citations</p> <p>M1 1893 c. 66.</p>
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2 †Allowances from the Assistance Board.

- (1) ^{F1}
- (2) The said categories are—
 - (a) Poles whose registration under the Aliens Order, 1920, took place on or after the first day of September, nineteen hundred and thirty-nine, and who have been permitted to enter, or to remain in, the United Kingdom in view of circumstances attributable to war, as to which, in case of doubt, a certificate of the Secretary of State shall be conclusive;
 - (b) former members of any of the forces mentioned in subsection (1) of section one of this Act (including the naval detachment therein mentioned), and members of any of those forces relegated from service therewith;
 - (c) wives of men of categories (a) and (b), and any woman who, having been the wife of a man of either of those categories, has ceased to be, and has not re-married;

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- (d) persons who have been permitted to enter the United Kingdom on or after the first day of September, nineteen hundred and thirty-nine, as being followers of a body of Polish forces entering the United Kingdom and dependent thereon or on members thereof, as to which, in case of doubt, a certificate of the Secretary of State shall be conclusive.

- (3) F1
- (4) F1

Textual Amendments

F1 Ss. 2(1)(3)(4), Sch. Part I repealed by [National Assistance Act 1948 \(c. 29\)](#), [Sch. 7 Pt. III](#) and Statute Law Revision Act 1953 c. 5 (2 & 3 Eliz. 2)

Modifications etc. (not altering text)

- C2 A dagger appended to a marginal note means that it is no longer accurate
- C3 The categories specified in s. 2(2) are categories of persons for whom benefits may be provided under s. 3

^{X13} † **Provision by the Assistance Board of accommodation in camps.**

- (1) [^{F2}The Supplementary Benefits Commission] may provide accommodation in camps, hostels or other establishments for persons in Great Britain being of any of the categories specified in subsection (2) of the last preceding section, or dependants of persons of any of those categories or of members of any of the Polish resettlement forces serving therewith, or persons formerly dependent on a person who was of any of those categories, or was such a member of any of those forces, at that former time.
- (2) The [^{F2}Commission] may make provision for meeting the needs ([^{F3}other than medical, surgical, optical, aural or dental needs], or needs as to education), and for promoting the welfare, of persons for whom accommodation is provided under this section, and may make such provision in such manner as appears to them most convenient, whether by themselves providing goods or services, by making payments to others for the provision thereof, . . . ^{F4}, or partly in one of those ways and partly in [^{F5}the other].
- (3) The [^{F2}Commission] may make arrangements with any government department or other authority or person for the provision of benefits under this section, on behalf and at the expense of the [^{F2}Minister of Social Security], by that authority or person.
- (4) F6
- (5) F6
- (6) The [^{F2}Minister] may from time to time fix for benefits provided under this section such scales of charges applicable in different circumstances as may appear to the [^{F2}Minister], with the approval of the Treasury, to be appropriate, [^{F2}and the Commission may] from time to time require payments for such benefits to be made in accordance with the provisions of Part II of the Schedule to this Act.
- [^{F7}(7) [^{F8}sections 20 and 21 of the Supplementary Benefits Act 1976] shall apply as respects benefit 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

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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.]

- (8) [^{F9}The Commission] shall have, in relation to a person for whom they have power to provide accommodation under this section the like right [^{F9}to complain to a magistrates' court as is conferred by [^{F10}section 18 of the Supplementary Benefits Act 1976] in relation to a person whose requirements are or are included in those of a person to whom benefit under that Act is paid or by whom such benefit is claimed, and the powers of the court under that section shall be exercisable on such complaint.]

[^{F11}(9) The provisions of [^{F12}section 26(3)(a) of the Supplementary Benefits Act 1976] shall apply to any proceedings under this section or under Part II of the Schedule to this Act.]

- (10) ^{F13}
- [^{F14}(10A) ^{F13}]
- (11) ^{F15}

Editorial Information

- X1** S. 3 above extends to England and Wales and Scotland only. Next following s. 3 extends to Northern Ireland only

Textual Amendments

- F2** Words substituted by [Ministry of Social Security Act 1966 \(c. 20\)](#), s. 39(2), **Sch. 6 para. 3(1)-(6)**
- F3** Words substituted by [S.I. 1951/174 \(1951 I, p. 1369\)](#)
- F4** Words repealed by [Social Security Act 1980 \(c. 30, SIF 113:1\)](#), ss. 8, 20, 21, **Sch. 4 para. 1(1)(b)**, **Sch. 5 Pt. II**
- F5** Words substituted by [Social Security Act 1980 \(c. 30, SIF 113:1\)](#), s. 20, **Sch. 4 para. 1(1)(b)**
- F6** S. 3(4)(5) repealed by [Social Security Act 1980 \(c. 30, SIF 113:1\)](#), ss. 8, 21, **Sch. 5 Pt. II**
- F7** S. 3(7) substituted by [Ministry of Social Security Act 1966 \(c. 20\)](#), s. 39(2), **Sch. 6 para. 3(7)**
- F8** Words substituted by [Supplementary Benefits Act 1976 \(c. 71, SIF 113:1\)](#), s. 35(2), **Sch. 7 para. 1(b)**
- F9** Words substituted by [Ministry of Social Security Act 1966 \(c. 20\)](#), s. 39(2), **Sch. 6 para. 3(8)(10)**
- F10** Words substituted by [Supplementary Benefits Act 1976 \(c. 71, SIF 113:1\)](#), s. 35(2), **Sch. 7 para. 1(c)**
- F11** S. 3(9) substituted by [Ministry of Social Security Act 1966 \(c. 20\)](#), s. 39(2), **Sch. 6 para. 3(9)**
- F12** Words substituted by [Supplementary Benefits Act 1976 \(c. 71, SIF 113:1\)](#), s. 35(2), **Sch. 7 para. 1(d)**
- F13** S. 3(10)(10A) repealed by [Social Security Act 1980 \(c. 30, SIF 113:1\)](#), ss. 8, 21, **Sch. 5 Pt. II**
- F14** S. 3(10A) added by [Ministry of Social Security Act 1966 \(c. 20\)](#), s. 39(2), **Sch. 6 para. 3(11)**
- F15** S. 3(11) repealed by [Ministry of Social Security Act 1966 \(c. 20\)](#), s. 39(2), **Sch. 8**

Modifications etc. (not altering text)

- C4** A dagger appended to a marginal note means that it is no longer accurate
- C5** References in s. 3 to the Supplementary Benefits Commission where ever occurring (except in s. 3(5)) are substituted by references to the Secretary of State by [Social Security Act 1980 \(c. 30, SIF 113:1\)](#), s. 20, **Sch. 4 para. 1(1)(a)**

^{X2}3 † **Provision by the Assistance Board of accommodation in camps.**

- (1) The Board may provide accommodation in camps, hostels or other establishments for persons in Great Britain being of any of the categories specified in subsection (2) of the last preceding section, or dependants of persons of any of those categories or of members of any of the Polish resettlement forces serving therewith, or persons

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formerly dependent on a person who was of any of those categories, or was such a member of any of those forces, at that former time.

- (2) The Board may make provision for meeting the needs ([^{F16}other than medical, surgical, optical, aural or dental needs], or needs as to education), and for promoting the welfare, of persons for whom accommodation is provided under this section, and may make such provision in such manner as appears to them most convenient, whether by themselves providing goods or services, by making payments to others for the provision thereof, . . . ^{F17}, or partly in one of those ways and partly in [^{F18}the other].
- (3) The Board may make arrangements with any government department or other authority or person for the provision of benefits under this section, on behalf and at the expense of the Board, by that authority or person.
- (4) ^{F19}
- (5) . . . ^{F19}
- (6) The Board may from time to time fix for benefits provided under this section such scales of charges applicable in different circumstances as may appear to the Board with the approval of the Treasury, to be appropriate, and may from time to time require payments for such benefits to be made in accordance with the provisions of Part II of the Schedule to this Act.
- [^{F20}(7) 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 of 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].
- (8) The Board shall have, in relation to a person for which they have power to provide accommodation under this section the like right to complain [^{F16}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.]
- (9) The provisions of [^{F16}subsection (4) of section 56 of the ^{M2}National Assistance Act 1948] as to proceedings on behalf of the Board shall apply to any such proceedings under this section or under Part II of the Schedule to this Act.
- (10) . . . ^{F19}
- (11) There shall be defrayed out of moneys provided by Parliament any increase attributable to the passing of this section in the sums payable out of such moneys under [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.]

Editorial Information

X2 S. 3 above extends to Northern Ireland only

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Textual Amendments

- F16** Words substituted by [S.I. 1951/174](#) (1951 I, p. 1369)
- F17** Words repealed by [Social Security Act 1980](#) (c. 30, SIF 113:1), ss. 8, 21, [Sch. 5 Pt. II](#)
- F18** Words substituted by [Social Security Act 1980](#) (c. 30, SIF 113:1), s. 21(5), [Sch. 4 para. 1\(1\)\(b\)](#)
- F19** S. 3(4)(5)(10) repealed by [Social Security Act 1980](#) (c. 30, SIF 113:1), ss. 8, 21, [Sch. 5 Pt. II](#)
- F20** S. 3(7) substituted by [Ministry of Social Security Act 1966](#) (c. 20), s. 39(2), [Sch. 6 para. 3\(7\)](#)

Modifications etc. (not altering text)

- C6** A dagger appended to a marginal note means that it is no longer accurate
- C7** “The Board” means the National Assistance Board

Marginal Citations

- M2** [1948 c. 29](#).

^{X3}4 **Provision by the Minister of Health of health services.**

- (1) The Minister of Health may provide such services and do such things as appear to him to be requisite for meeting the . . . ^{F21} needs as to mental or bodily health, of persons of any description [^{F22}for whom the Secretary of State has power]to provide accommodation under section three of this Act, including any such services and things as are specified in The [^{F23}National Health Service Act 1977], as services or things which, . . . ^{F24} the Minister of Health, [^{F25}Area Health Authorities][^{F26}District Health Authorities] or other persons is or are authorised or required to provide or do, or may be authorised or required to provide or do, by or under [^{F23}that Act], and any services and things the provision or doing of which is within the duties of [^{F25}local social services authorities] under [^{F27}the Mental Health Act 1983]
- (2) The Minister of Health may make arrangements with any other government department or other authority or person for the provision of services or the doing of things under this section, on his behalf and at his expense, by that authority or person.
- (3) The expenses of the Minister of Health under this section shall be defrayed out of moneys provided by Parliament.

Editorial Information

- X3** [S. 4](#) above extends to England and Wales and Northern Ireland only. Next following [s. 4](#) extends to Scotland only

Textual Amendments

- F21** Words repealed by [Statute Law Revision Act 1953](#) c. 5 (2 & 3 Eliz. 2)
- F22** Words substituted by virtue of [Social Security Act 1980](#) (c. 30, SIF 113:1), s. 20, [Sch. 4 para. 1\(2\)](#)
- F23** Words substituted by [National Health Service Act 1977](#) (c. 49, SIF 113:2), s. 129, [Sch. 15 para. 4](#)
- F24** Words repealed by [National Health Service Reorganisation Act 1973](#) (c. 32), ss. 57(3), 58(6), [Sch. 5](#)
- F25** Words substituted by [National Health Service Reorganisation Act 1973](#) (c. 32), ss. 57(3), 58(6), [Sch. 4 para. 40](#)
- F26** Words inserted (E.W.) by [Health Services Act 1980](#) (c. 53, SIF 113:2), ss. 1, 2, [Sch. 1 para. 4](#)
- F27** Words substituted by virtue of [Mental Health Act 1983](#) (c. 20, SIF 85), s. 148, [Sch. 4 para. 8](#)

Modifications etc. (not altering text)

- C8** Functions of Minister of Health now exercisable by Secretary of State: [S.I. 1968/1699](#)

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^{X4}4 Provision by the Secretary of State of health services.

- (1) The Secretary of State may provide such services and do such things as appear to him to be requisite for meeting the . . . ^{F28} needs as to mental or bodily health, of persons of any description [^{F29}for whom the Secretary of State has power] to provide accommodation under section three of this Act, including any such services and things as are specified in the National Health Service (Scotland) Acts 1947 to 1972, as services or things which . . . ^{F30} the Secretary of State, [^{F31}Health Boards], executive councils or other persons is or are authorised or required to provide or do, or may be authorised or required to provide or do, by or under that Act, and any services and things the provision or doing of which is within the duties of local authorities under the ^{M3}Mental Health (Scotland) Act, 1960.
- (2) The Secretary of State may make arrangements with any other government department or other authority or person for the provision of services or the doing of things under this section, on his behalf and at his expense, by that authority or person.
- (3) The expenses of the Secretary of State under this section shall be defrayed out of moneys provided by Parliament.

Editorial Information

X4 S. 4 above extends to Scotland only

Textual Amendments

F28 Words repealed by Statute Law Revision Act 1953 c. 5 (2 & 3 Eliz. 2)

F29 Words substituted by virtue of Social Security Act 1980 (c. 30, SIF 113:1), s. 20, **Sch. 4 para. 1(2)**

F30 Words repealed by National Health Service (Scotland) Act 1972 (c. 58), **Sch. 7 Pt. II**

F31 Words substituted by National Health Service (Scotland) Act 1972 (c. 58), **Sch. 6 para. 77**

Marginal Citations

M3 1960 c.61.

5 ^{F32}

Textual Amendments

F32 Ss. 5, 8, 9, 12(2) repealed by Statute Law Revision Act 1953 c. 5 (2 & 3 Eliz. 2)

6 Provision by the Minister of Education of educational services.

- (1) The Minister of Education may, for meeting the educational needs of persons being of any description [^{F33}for whom the Secretary of State has power] to provide accommodation under section three of this Act . . . ^{F34}, provide any such services and do any such things as a local education authority or the Minister of Education are or is authorised or required to provide or do, or may be authorised or required to provide or do, by or under the ^{M4}Education Acts, 1944 and ^{M5}1946.
- (2) The Minister of Education may make arrangements with any other government department or other authority or person for the provision of services or the doing of things under this section, on his behalf and at his expense, by that authority or person.

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- (3) The expenses of the Minister of Education under this section shall be defrayed out of moneys provided by Parliament.

Textual Amendments

- F33** Words substituted by virtue of [Social Security Act 1980 \(c. 30, SIF 113:1\)](#), s. 20, [Sch. 4 para. 1\(2\)](#)
F34 Words repealed by Statute Law Revision Act 1953 c. 5 (2 & 3 Eliz. 2)

Modifications etc. (not altering text)

- C9** Functions of Minister of Education now exercisable by Secretary of State for Education and Science: [S.I. 1964/490](#)
C10 “the Assistance Board” means the National Assistance Board
C11 S. 6: Functions transferred (W.) (1.7.1999) by [S.I. 1999/672](#), art. 2, [Sch. 1](#)

Marginal Citations

- M4** 1944 c. 31.
M5 1946 c. 50.

7 Arrangements by the Minister of Labour and National Service for emigration.

- (1) The Minister of Labour and National Service may, in accordance with a scheme made by him with the approval of the Treasury, make arrangements, in connection with the emigration of persons of any description [^{F35}for whom the Secretary of State has power] to provide accommodation under section three of this Act, for facilitating the removal of such persons and their belongings to their destinations and making payments in or towards defraying the expenses of providing facilities therefor:

Provided that arrangements made under this subsection shall not extend to members of any of the Polish resettlement forces relegated from service therewith, to former members of any of those forces emigrating immediately on their discharge therefrom, or to dependants of any such members or former members.

- (2) A scheme under this section may be varied by a subsequent scheme made thereunder or may be revoked by order of the Minister of Labour and National Service.
 (3) The expenses of the Minister of Labour and National Service under this section shall be defrayed out of moneys provided by Parliament.

Textual Amendments

- F35** Words substituted by virtue of [Social Security Act 1980 \(c. 30, SIF 113:1\)](#), s. 20, [Sch. 4 para. 1\(2\)](#)

Modifications etc. (not altering text)

- C12** Functions of Minister of Labour and National Service now exercisable by Secretary of State for [S.I. 1959/1769](#) (1959 I, p. 1795), 1968/729 and 1970/1537
C13 “the Assistance Board” means the National Assistance Board

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Textual Amendments

F36 Ss. 5, 8, 9, 12(2) repealed by Statute Law Revision Act 1953 c. 5 (2 & 3 Eliz. 2)

9 ^{F37}

Textual Amendments

F37 Ss. 5, 8, 9, 12(2) repealed by Statute Law Revision Act 1953 c. 5 (2 & 3 Eliz. 2)

10 Interpretation.

(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say,—

“Pole” means a person registered under the Aliens Order, 1920, as being a Pole;

“Polish resettlement forces” means the Polish Re-settlement Corps, the Polish Re-settlement Corps (Royal Air Force), the Polish Re-Settlement Section of the Auxiliary Territorial Service, and the Polish Re-Settlement Section of the Women’s Auxiliary Air Force;

... ^{F38}

(2) References in this Act to any other enactment shall, unless the context requires, be construed as references to that enactment as amended by or under any other enactment, and references in this Act to the Royal Warrant mentioned in section one thereof and to the Aliens Order, 1920, shall be construed respectively as references to that Warrant or Order as for the time being in force and to any Royal Warrant or Order substituted therefor.

Textual Amendments

F38 Definition of “the General Medical Council” repealed by Statute Law Revision Act 1953 c. 5 (2 & 3 Eliz. 2)

11 Application to Scotland.

(1) The provision of this section shall have effect for the purpose of the application of this Act to Scotland.

(2) Subsections (8) and (9) of section three shall not apply.

(3) Section four shall have effect as if there were substituted—

(a) for any reference to the Minister of Health a reference to the Secretary of State; and

(b) in subsection (1) for the reference to the ^{M6}National Health Service Act, 1946, a reference to [^{F39}F⁴⁰the National Health Service (Scotland) Acts 1947 to 1972][^{F40}the National Health Service (Scotland) Act 1978]; for the reference to [^{F41}the Mental Health Act 1983], a reference to [^{F42}the Mental Health

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(Scotland) Act 1984]; and for the reference to “local health authorities” a reference to “local authorities.”

- (4) Section six shall have effect as if there were substituted—
- (a) for any reference to the Minister of Education a reference to the Secretary of State;
 - (b) for any reference to “a local education authority” a reference to “an education authority”; and
 - (c) for any reference to the ^{M7}Education Acts, 1944 and ^{M8}1946, a reference to the Education (Scotland) Act, ^{M9}1946.
- (5) In the application of the Schedule to Scotland—
- (a) paragraph 3 shall have effect as if the ^{M10}Poor Law Act, 1930, extended to Scotland;
 - (b) paragraph 5 shall have effect as if the word “summarily” were omitted, and the reference to a time limit of one year for the institution of proceedings for recovery shall not apply.

Textual Amendments

- F39** Words substituted by National Health Service (Scotland) Act 1972 (c. 58), Sch. 6 para. 78
- F40** Words substituted (S.) by National Health Service (Scotland) Act 1978 (c. 29, SIF 113:2), s. 109, **Sch. 16 para. 1**
- F41** Words substituted by virtue of Mental Health Act 1983 (c. 20, SIF 85), s. 148, **Sch. 4 para. 8**
- F42** Words substituted by virtue of Mental Health (Scotland) Act 1984 (c. 36, SIF 85), s. 127(1), **Sch. 3 para. 4**

Marginal Citations

- M6** 1946 c. 81.
- M7** 1944 c. 31.
- M8** 1946 c. 50.
- M9** 1946 c. 72.
- M10** 1930 c. 17.

12 Application to Northern Ireland.

- (1) The provisions of this section shall have effect for the purpose of the application of this Act to Northern Ireland.
- (2) ^{F43}

[^{F44}(3) References in sections 4 to 7 of this Act to persons of any description for whom the Secretary of State has power to provide accommodation under section 3 of this Act shall include references to persons in Northern Ireland of any description for whom he would have power so to provide if those persons were in Great Britain.]

Textual Amendments

- F43** Ss. 5, 8, 9, 12(2) repealed by Statute Law Revision Act 1953 c. 5 (2 & 3 Eliz. 2)
- F44** S. 12(3) substituted by Social Security Act 1980 (c. 30, SIF 113:1), s. 20, **Sch. 4 para. 1(2)**

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13 Short title.

This Act may be cited as the Polish Resettlement Act, 1947.

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