

SCHEDULES

THIRD SCHEDULE

FINANCIAL PROVISIONS CONSEQUENTIAL ON TREATING A PERSON DYING ON SERVICE AS ALIVE AND THE CONVERSE.

- 1 (1) This paragraph shall have effect where by virtue of the rules set out in subsection (2) of section sixty-one of this Act the appropriate authority determine that a person is to be treated as having died.
- (2) No sums paid under Part V of this Act shall be recoverable on the ground that they were paid on the footing that the person was alive at a time after the date fixed by the appropriate authority by virtue of the said section as the date of his death.
- (3) Where any sums have been paid under subsection (2) of section forty-six of this Act for a period to which that person's [^{F1}surviving spouse, surviving civil partner] or other dependant is entitled by way of pension under any Act, scheme or regulation mentioned in paragraph (b), (c), (d) or (e) of subsection (1) of section sixty-one of this Act shall only be made if and to the extent that the appropriate authority so direct.

Textual Amendments

- F1** Words in [Sch. 3 para. 1\(3\)](#) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(8)(a), [Sch. 26 para. 27\(2\)](#); S.I. 2005/3175, art. 2(1), Sch. 1

Changes to legislation:

There are currently no known outstanding effects for the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951, Paragraph 1.