

# **Pensions Amendment Act 1925**

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**An Act to amend the Pensions Act, 1913.**

**BE IT ENACTED** by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

**1 Short Title.**

This Act may be cited as the Pensions Amendment Act, 1925, and shall be read together with and deemed part of the Pensions Act, 1913 (hereinafter referred to as the principal Act).

**2 As to residential qualifications of seamen who are applicants for old-age pensions.**

Section eight of the principal Act is hereby amended by omitting from subparagraph (iii) of paragraph (b) the words “registered in and trading to and from New Zealand,” and substituting the words “trading to and from New Zealand, and either registered or owned in New Zealand.”

**3 Increased rate of old-age pensions.**

- (1.) Section nine of the principal Act as amended by section six of the Finance Act, 1920, is hereby further amended by omitting the words “thirty-nine pounds,” and substituting the words “forty-five pounds ten shillings.”

*Consequential amendments of law.*

- (2.) Section thirteen of the principal Act as amended by section eight of the Finance Act, 1920, is hereby further amended by omitting from the proviso to paragraph (b) of subsection one the words “one hundred and thirty pounds,” and substituting the words “one hundred and forty-three pounds.”
- (3.) Section seven of the Pensions Amendment Act, 1924, is hereby amended by omitting the words “of one hundred and thirty pounds specified in the proviso to paragraph (b) of subsection one of the said section thirteen as amended by section eight of the Finance Act, 1920,” and substituting the words “specified in the proviso to paragraph (b) of subsection one of the said section thirteen as amended.”
- (4.) Section nine of the Pensions Amendment Act, 1924 (providing for the grant of an allowance in addition to the old-age pension in certain special cases), is hereby repealed.
- (5.) Section ten of the Pensions Amendment Act, 1924 (providing for the grant of a special pension to persons who served in the South African War), is hereby amended by omitting the words “ninety-one pounds,” and substituting the words “ninety-seven pounds ten shillings.”
- (6.) Sections six and eight of the Finance Act, 1920, are hereby repealed.

**4 Personal earnings for past year may be excluded from income if applicant has ceased to receive such earnings.**

- (1.) Section twelve of the principal Act (relating to the method of computing the annual income of applicants for old-age pensions) is hereby amended by

omitting from the proviso to subsection one all words after the words “the Magistrate may,” and substituting the words “exclude from the computation the whole or any part of such personal earnings.”

- (2.) The said section twelve shall, with the necessary modifications, apply with respect to the computation of the income of an applicant for a widow’s pension.

**5 Definition of the term “income” amended.**

In addition to all other exemptions from the definition of the term “income” as defined by section two of the principal Act, as from time to time amended, there is hereby excluded from that term—

- (a.) Any moneys raised by public subscription for the benefit of the applicant, or for the benefit of his or her wife or husband or dependent children; or
- (b.) Any moneys received by way of compensation or damages in respect of the death of any person, in so far as such moneys do not exceed one hundred pounds.

**6 Value of home in which applicant for old-age pension or widow’s pension permanently resides not to be taken into account in computing pension.**

- (1.) Section ten of the principal Act is hereby amended as follows:—
- (a.) By inserting, after the words “his interest in” in subsection one, the words “any property upon which he permanently resides, or in”;
- (b.) By repealing paragraph (a) of subsection two;
- (c.) By omitting from paragraph (b) of subsection two the word “other”; and
- (d.) By repealing the proviso to subsection two.
- (2.) Section twenty of the principal Act as amended by section twelve of the Pensions Amendment Act, 1924, is hereby further amended—
- (a.) By omitting from subsection one the words “not exceeding the sum of five hundred and twenty pounds”; and
- (b.) By adding to subsection one the words “in their possession.”
- Consequential repeals.*
- (3.) Section six of the Pensions Amendment Act, 1924, is hereby amended by repealing subsection two thereof.
- (4.) Section twelve of the Pensions Amendment Act, 1924, is hereby repealed.

**7 Benefits of pensions in respect of children extended to apply to children not over fifteen years of age.**

- (1.) Section seven of the principal Act is hereby amended by omitting from paragraph (b) the word “fourteen,” and substituting the word “fifteen.”

- (2.) Section eight of the principal Act is hereby amended by omitting from paragraph (e) the word “fourteen,” and substituting the word “fifteen.”
- (3.) Section seventeen of the principal Act is hereby amended by omitting from paragraph (a) the word “fourteen,” and substituting the word “fifteen.”
- (4.) Section twenty-two of the principal Act is hereby amended by omitting the word “fourteen,” and substituting the word “fifteen.”

**8 Person in receipt of pension in respect of service in Maori War not debarred from receiving old-age pension.**

- (1.) A person in receipt of a military pension granted under Part III of the principal Act shall not thereby be debarred from applying for and receiving an old-age pension in addition to his military pension.
- (2.) Section sixty-four of the principal Act shall be read subject to the provisions of this section.

**9 Extension of classes of persons to whom pensions may be granted in respect of blindness.**

Section fourteen of the Pensions Amendment Act, 1924, is hereby amended by repealing paragraph (b) of subsection two, and substituting the following paragraph:—

- “(b.) That he was born blind in New Zealand; or that he became blind while permanently resident in New Zealand; or that, in any other case, he has been permanently resident in New Zealand for not less than ten years before the passing of this Act or for not less than twenty-five years before the date of his application.”

**10 Increased pension in respect of blindness (corresponding to increase in amount of old-age pension).**

Section fifteen of the Pensions Amendment Act, 1924, is hereby amended as follows:—

- (a.) By omitting from subsection one the words “thirty-nine pounds,” and substituting the words “forty-five pounds ten shillings”; and
- (b.) By omitting from subsection two the words “three pounds ten shillings,” and substituting the words “three pounds twelve shillings and sixpence.”

**11 Applications for renewals of pensions to be determined by Commissioner.**

- (1.) Applications for the renewal of pensions under the principal Act made on or after the first day of April, nineteen hundred and twenty-six, shall be investigated and determined by the Commissioner, whose decision shall be final.
- (2.) As from the said date references in the principal Act or elsewhere to a Magistrate shall, so far as may be necessary to give effect to this section, be construed as references to the Commissioner.