

ANNO QUINQUAGESIMO

GEORGII III. REGIS.

CAP. CXVII.

An Act to direct that Accounts of Increaſe and Diminution of Publick Salaries, Penſions, and Allowances, ſhall be annually laid before Parliament; and to regulate and controul the granting and paying of ſuch Salaries, Penſions, and Allowances. [21ſt *June* 1810.]

WHEREAS it is expedient that an Account of the Increaſe and Diminution of all Publick Salaries, and of all Penſions and Allowances in the Nature of Superannuation or Rewards for Publick Services, ſhould be annually laid before Parliament; and that Proviſion ſhould be made for regulating and controuling the granting and paying of ſuch Salaries, Penſions, and Allowances: Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That between the First Day of *February* and Twenty-fifth Day of *March* in every Year, if Parliament ſhall be ſitting during any Part of ſuch Period, or if Parliament ſhall not be ſitting during any Part of ſuch Period, then within Forty Days after the Commencement of the Seſſion of Parliament in ſuch Year, there ſhall be laid before both Houſes of Parliament, an Account of every Increaſe and Diminution which ſhall have taken Place within the preceding Year, ending on the Firſt Day of *January*, in the Number of Perſons employed in all Publick Offices or Departments, or in the Salaries, Emoluments, Allowances, and Expences which may have taken place, or been paid, granted, received, or incurred, for and in reſpect of all Officers and Perſons belonging to or employed in or by or in the Service of all Publick Offices or Departments, ſpecifying the Amount and Nature thereof, and diſtinguiſhing in ſuch Account every Increaſe and Diminution in the Amount of all Allowances or Compenſations granted or allowed as retired Allowances or Superannuations to any Perſon or Perſons having held any Office, Place, or Employment, in any ſuch Publick Office or Department, or having been employed in any Manner in any Publick Services under any ſuch Office or Department, and ſpecifying in every ſuch Account the Time and Length of Service of every ſuch Perſon, and the Amount of the Salary or Allowances received by ſuch Perſon immediately preceding ſuch Superannuation, and the Nature of his Services, and alſo ſpecifying in every ſuch Account the Grounds upon which every ſuch Increaſe or Diminution in the Eſtabliſhment of any ſuch Publick Office

Amount of Increaſe and Diminution of Publick Salaries, Penſions, and Allowances, to be annually laid before Parliament.

fice or Department, or of any such Salary, Emolument, Allowance, or Compensation, or Superannuation as aforesaid, shall have been made, granted or allowed.

No Compensation for Publick Services or Superannuations to be granted or allowed, unless with Concurrence of the Treasury.

II. And be it further enacted, That no Compensation for any Office abolished, or special Allowance or Remuneration to any Person holding any Civil Employment in any Publick Office for any good Services, shall be charged upon the Incidents or any other Fund of any Publick Office or Department, and no Allowance or Compensation, in the Nature of any Superannuation or retired Allowance or Reward, to any such Person as aforesaid, in respect of his having held any Publick Office or Employment, or been engaged in any publick Service, (except such as may be granted by any Order of His Majesty in Council), shall be granted, paid, or allowed, without the Concurrence of Three or more of the Commissioners of His Majesty's Treasury, to be signified by Warrant under their Hands, or by a Letter from One of the Secretaries to the said Commissioners, to the Officer or Officers at the Head of such Department, or by the Signature of such Three of the Lords Commissioners of the Treasury to the Instrument by which such Compensation, Allowance, or Superannuation shall be granted.

Not to extend to Half Pay or Military Pension, &c. in Army, Ordnance, or Navy.

III. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any Half Pay or Allowance in lieu of Half Pay, or to any such Military or Naval Allowances or Pensions, as are granted under the Regulations of any Order of His Majesty in Council now in force in any of the respective Offices of the Secretary at War, the Master General of the Ordnance, or the Lords Commissioners of the Admiralty; except as herein after is provided with respect to the same.

Half Pay and Military and Naval Pensions to be laid before Parliament in separate annual Estimates.

IV. Provided also, and be it further enacted, That all Half Pay and Allowances in lieu of Half Pay in the Army, Ordnance, Navy, or Marines respectively, and all Military and Naval Allowances and Pensions granted, or which shall hereafter be granted in the respective Offices of the Secretary at War, the Master General of the Ordnance, or Commissioners of the Admiralty respectively, under the Authority of any Order in Council, shall be laid before the Commons House of Parliament, in separate Estimates, with the ordinary Estimates of the Army, Ordnance, and Navy respectively, and shall be kept distinct from all Pensions, Allowances, Emoluments, or Compensations in the Nature of Superannuations or retired Allowances, in any of the Civil Offices or Departments belonging to or connected with, or under the Superintendance and Controul of the Secretary at War, or the Master General of the Ordnance, or Lords Commissioners of the Admiralty.

Civil Allowances in Army, Ordnance, and Navy, to be laid before Parliament in separate annual Estimates, and voted.

V. Provided also, and be it further enacted, That all Allowances, Compensations, and Emoluments, in the Nature of any Superannuation, or retired Allowances, to any Persons, in respect of having held any publick Offices or Employments, or having been engaged in the Service of the Secretary at War, Master General of the Ordnance, or Lords Commissioners of the Admiralty respectively, in any of the Civil Departments of such respective Offices, shall annually be laid before the Commons House of Parliament, in separate Estimates, with the ordinary Estimates of the Army, Ordnance, and Navy respectively, distinct from the respective Estimates of such Departments, and voted by Parliament.

Fund from Sale of old Stores not to be charged with Pensions.

VI. And be it further enacted, That from and after the passing of this Act, it shall not be lawful to charge the Fund arising from the Sale of old Naval Stores, with any Pension, Payment, or Allowance, to any Person or Persons whatever; and an Account of the total annual Produce

arising

arising from the Sale of old Stores shall be annually laid before Parliament, and Credit shall be given for the total Produce of such Sales of old Naval Stores, in the Estimates of the Navy laid before Parliament in each Year.

Pensions, &c. now charged on said Fund, to remain so charged till included in Estimates of the Year 1811.

VII. Provided always, and be it further enacted, That all such Pensions, Payments, and Allowances, which are now charged upon the Fund arising from the said Sale of old Naval Stores, shall remain charged and shall be paid out of the said Fund, until the same shall be included in the Estimates of the Navy; and all such Pensions, Payments, and Allowances, shall be included in the Estimates of the Navy for the Year One thousand eight hundred and eleven, and shall be in like Manner provided for in future Years, and shall be no longer deemed to be charged upon or payable out of the said Fund.

Deficiencies of Payments of Establishment, or of Allowances or Pensions out of Fee Fund of any Office, to be annually laid before Parliament.

VIII. And be it further enacted, That in every Office and Public Department in which the Establishment of the Office is paid by any Fund created by the Fees received in such Office, all Allowances and Compensations paid or granted, or which shall be hereafter granted in the Nature of Superannuations, or Allowances, or Rewards, to any Persons in respect of any Publick Services, shall be charged in the first Instance, upon, and paid out of such Fund as aforesaid; and where such Fund shall be found deficient in any Office for the Payment of such Establishment and other Payments as aforesaid, an Estimate of such Deficiency shall be submitted annually to the Commons House of Parliament, and such Deficiency shall be supplied by a Vote of Parliament.

Deficiency of Fee Fund in Offices of Secretary of State, Privy Council, and Treasury, to be made good out of Civil List, &c.

IX. Provided always, and be it further enacted, That where any such Deficiency of the Fee Fund shall be found in the Offices of the Principal Secretary of State, of the Privy Council, and of the Treasury, the same shall be made good out of the Civil List; and that all Allowances and Compensations in the Nature of Superannuations, or Allowances and Rewards, to any Person in respect of any publick Services in any Departments, the Establishment of which is wholly charged upon the Civil List, shall also be charged upon that Fund.

When no Fee Fund, the Whole to be annually laid before and provided for by Parliament.

X. Provided always, and be it further enacted, That in every Publick Office and Department in which there shall be no such Fee Fund as aforesaid, for the Payment of the Establishment of such Office or Department, not being an Office in Receipt of Revenue, or an Office the Establishment of which is wholly charged upon the Civil List, the Whole of such Allowances and Compensations in the Nature of Superannuations or Allowances or Rewards, to any Person in respect of any publick Services shall annually be laid before the Commons House of Parliament by Estimate, and be voted and charged upon such Funds as Parliament shall direct.

Superannuations or Allowances to be paid without any Deductions, except Property Tax.

XI. And be it further enacted, That all Allowances or Compensations hereafter to be granted or allowed as Allowances or Pensions, or Superannuations, shall be paid to the Persons entitled to receive the same, without any Abatement or Deduction on account of any Rates or Duties imposed by any Act of Parliament, except the Duty granted by an Act passed in the Forty-sixth Year of His present Majesty, intituled, *An Act for granting to His Majesty during the present War, and until the Sixth Day of* April *next after the Ratification of a Definitive Treaty of Peace, further additional Duties in* Great Britain *on the Rates and Duties on Profits arising from Property, Professions, Trades, and Offices, and for repealing an Act passed in the Forty-fifth Year of His present Majesty, for repealing certain Parts of an Act made in the Forty-third Year of His present Majesty, for granting a Contribution on the Profits arising from Property, Professions, Trades, and Offices, and to consolidate and render more effectual the Provisions for collecting the said Duties.*

Conditions on which Allowances shall be granted.

XII. And be it further enacted, That the Condition and Proportion of such Allowances, Compensations, Remunerations, or Superannuations, be as follows:

Where any Officer shall be under Sixty Years of Age, it shall not be lawful to grant any such Allowance, Compensation, Remuneration, or Superannuation, unless upon Certificate from the Heads of the Department to which such Officer belongs, that such Officer is incapable from Infirmity of Mind or Body, to discharge the Duties of his Office; in which Case if he shall have served with Diligence and Fidelity in the publick Service for Ten Years, it shall and may be lawful to grant to him by way of Superannuation, any annual Sum not exceeding One-third of the Salary and Emoluments of his Office:

If above Ten Years and less than Twenty, any such Sum not exceeding One Half of such Salary and Emoluments:

If above Twenty Years, any such Sum not exceeding Two-thirds of such Salary and Emoluments:

If such Officer shall be above Sixty Years of Age, and he shall have served Fifteen Years or upwards, it shall and may be lawful although there shall be no such Certificate of Incapacity, from Infirmity of Body or Mind, to grant to him by way of Superannuation, any annual Sum not exceeding Two-thirds of the Salary and Emoluments of his Office:

If Sixty-five Years of Age or upwards, and he shall have served Forty Years or upwards, any such Sum not exceeding Three-fourths of such Salary and Emoluments:

If Sixty-five Years of Age or upwards, and he shall have served Fifty Years or upwards, any such Sum not exceeding the Whole of such Salary and Emoluments.

Regulating the Pensions of Persons who have served the Crown in Foreign Courts, 22 G. 3. c. 82.

XIII. And whereas an Act was passed in the Twenty-second Year of the Reign of His present Majesty, intituled, *An Act for enabling His Majesty to discharge the Debt contracted upon His Civil List Revenues, and for preventing the same from being in Arrear for the future, by regulating the Mode of Payments out of the said Revenues, and by suppressing or regulating certain Offices therein mentioned, which are now paid out of the Revenues of the Civil List:* And whereas it is expedient that the said Act should be amended, so far as respects Pensions to Persons who shall have served the Crown in Foreign Courts, after the Expiration of their Services; be it therefore enacted, That no Pension or Allowance shall be granted to any Person, for or on Account of having served the Crown in Foreign Courts, within less than Ten Years from the Date of his first Appointment in such Service, during which Time he shall have served not less than Three Years; and no such Allowance shall exceed Two thousand Pounds *per Annum*, and every such Allowance shall abate if such Person shall be appointed to any Civil Office or Employment under the Crown of equal or greater Amount, and shall also be subject to a proportionate Abatement if the Value of any such Office or Employment should be less than the Amount of such Allowance as aforesaid.

Persons receiving such Pension not to be less than 35 Years of Age.

XIV. Provided always, and be it further enacted, That before any such Pension or Allowance shall be granted, the Person in whose Favour the same shall be granted shall not be less than Thirty-five Years of Age, and His Majesty's Secretary of State for Foreign Affairs shall transmit to the Treasury a Certificate under his Hand, that such Person has not within such Ten Years declined serving as a Foreign Minister, except for sufficient Cause, in any Rank or Station equal or superior to that in which he had last served, which Certificate shall be recited in the Grant of such Pension or Allowance.

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