

ANNO NONO

VICTORIÆ REGINÆ.

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CAP. X.

An Act for regulating the Payment of the Out-Pensioners of *Greenwich* and *Chelsea* Hospitals. [2d *April* 1846.]

WHEREAS by an Act passed in the Sixth Year of the Reign of Her Majesty, intituled *An Act to amend the Laws relating to the Payment of the Out-Pensioners of* Chelsea *Hospital*, it is amongst other things enacted, that in every Part or District of the United Kingdom for which the Secretary at War, with the Consent of the Lords Commissioners of Her Majesty's Treasury, shall have appointed any Officer on Half Pay, or other Person, to pay the said Pensioners, the Payment of all Pensions, Allowances, and Relief granted or to be granted to disabled, invalid, and discharged Soldiers shall be made by the Officer or other Person so appointed, but that elsewhere the Payment of such Pensions should take place and be accounted for in all respects as if the said Act had not been passed: And whereas it is now considered expedient, with the view of introducing one uniform System of Payment and accounting, that the whole of the Out-Pensioners of the said Hospital, wherever resident, should be paid, by and under the Authority of the Secretary at War, either by Staff Officers or such other Persons as he, with the Consent of the Lords Commissioners of Her Majesty's Treasury, may nominate or appoint to perform that Duty, and that these Officers and others should in like Manner be employed to pay the Out-Pensioners of *Greenwich* Hospital: Be it enacted by the Queen'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 so much of the said Act as restricts the Payments to be made by Staff Officers and

5 & 6 Vict. c. 70.

Repeal of Part of 5 & 6 Vict. c. 70.

and of 7 G. 4. c. 16.

and others acting under the Authority of the Secretary at War to *Chelsea* Out-Pensioners resident in the United Kingdom, also so much of the said Act as relates to the Money for the Payment of the said Out-Pensioners being obtained on Certificate by the Secretary at War, and as regards the Audit thereof by the Commissioners for auditing the Public Accounts, and also so much of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act to consolidate and amend several Acts relating to the Royal Hospitals for Soldiers at* Chelsea *and* Kilmainham, as relates to the Payment and Management of the Out-Pensioners thereof, and also so much of Two Acts passed respectively in the Tenth and Eleventh Years of the Reign of King *George* the Fourth, the former intituled *An Act for transferring the Management of* Greenwich *Out-Pensions, and certain Duties in Matters of Prize, to the Treasurer of the Navy,* and the latter *An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy,* as relates to the Payment and Management of *Greenwich* Out-Pensions, and also so much of an Act passed in the Sixth Year of the Reign of King *William* the Fourth, intituled *An Act for consolidating the Offices of Paymaster General, Paymaster and Treasurer of* Chelsea *Hospital, Treasurer of the Navy, and Treasurer of the Ordnanee,* as relates to the Payment and Management of *Greenwich* Out-Pensioners by Her Majesty's Paymaster General, shall be repealed.

Repeal of Part of 10 G. 4. c. 26. and 11 G. 4. & 1 W. 4. c. 20.

Repeal of Part of 5 & 6 W. 4. c. 35.

Repeal of Part of 2 & 3 Vict. c. 51. as to Repayment of Relief granted to Chelsea and Greenwich Out-Pensioners.

II. And whereas it is expedient that Provision should be made for the more easy Recovery of Relief given or Money advanced to Pensioners by Guardians and other Officers concerned in the Administration of Relief to the Poor; be it enacted, That from and after the passing of this Act so much of an Act passed in the Third Year of the Reign of Her Majesty, intituled *An Act to regulate the Payment and Assignment, in certain Cases, of Pensions granted for Service in Her Majesty's Army, Navy, Royal Marines, and Ordnance,* as relates to the Repayment of Relief administered to *Chelsea* or *Greenwich* Out-pensioners, shall be repealed.

Secretary at War to regulate Payment of Out-Pensioners.

III. And be it enacted, That from and after the passing of this Act it shall be lawful for the Secretary at War for the Time being to make such Rules and Regulations for the Management and Payment of the *Chelsea* and *Greenwich* Out-Pensioners, whether residing in the United Kingdom or elsewhere, and for paying them, either weekly, monthly, or quarterly in advance, in the Case of the *Chelsea* Pensioners, and weekly, monthly, or quarterly in arrear, in the Case of the *Greenwich* Pensioners, as shall appear to him best calculated for their and the public Advantage, and either by means of Staff Officers appointed or to be appointed by him for that Purpose under the existing Regulations, or by means of such other Person or Persons as may be approved and sanctioned by the Commissioners of the Treasury, and upon the Production of such Proof of Title to Pension as he, with the Consent aforesaid, may consider necessary.

Accounts to be audited as Army Effective Services.

IV. And be it enacted, That from and after the passing of this Act all Payments made by the Secretary at War to or on account of the Pensioners aforesaid, and the Expences of every Description connected with their Management and Payment, shall be audited and

passed

passed by him in the same Manner as the Accounts of the Army Effective Services are now audited and passed.

Saving of Powers of Commissioners of the Admiralty and Chelsea Hospital.

V. And be it enacted, That nothing in this Act contained shall be held to interfere with the Powers possessed by the Lord High Admiral or the Commissioners of the Admiralty and the Commissioners of *Chelsea* Hospital respectively in regard to granting, increasing, reducing, suspending, taking away, or restoring of Pension under the Authority of existing Acts of Parliament and of the present Regulations, or for the Purpose of abridging, taking away, or interfering with any Power, Authority, or Duty of the said Lord High Admiral or Commissioners, other than by this Act is expressly provided.

Penalty for Frauds respecting Pensions.

VI. And be it enacted, That any Person or Persons guilty of fraudulently receiving or endeavouring to receive Pension Money, or Money in the Nature of Pension, from the Secretary at War, or from any Officer or other Person employed or authorized by him to pay Pensions, shall upon Conviction be subjected to the same Pains and Penalties as are prescribed by the several Acts herein-before recited, or any of them, in the Cases of Frauds committed or attempted to be committed upon the Commissioners of *Chelsea* Hospital, the Lord High Admiral or the Commissioners of the Admiralty, the Treasurer of the Navy, and the Paymaster General.

Greenwich Pensioners convicted of Felony may be restored to Pension:

VII. And be it enacted, That it shall be lawful for the Secretary at War, with the Concurrence of the Lord High Admiral or Commissioners of the Admiralty, in all Cases in which it may be deemed expedient, to restore any *Greenwich* Pensioner who shall have been convicted of Felony, and thereby shall have forfeited his Pension, either to his original Pension or to any less Rate of Pension.

Pensions may be paid to the Wives and Children of Pensioners out of the United Kingdom.

VIII. And be it enacted, That it shall be lawful for the Secretary of War, with the Consent of any *Greenwich* or *Chelsea* Pensioner residing temporarily out of the United Kingdom, to pay to his Wife, or if he have no Wife to or for the Benefit of his Child or Children, such Portion of his Pension as may be agreed upon; and that the Receipt or Acknowledgment of the Person or Persons so paid shall be a full and sufficient Discharge to the Secretary at War for the Amount so issued by him.

Repayment to Parishes of Relief given to Out-Pensioners.

IX. And be it enacted, That if any *Chelsea* or *Greenwich* Pensioner be relieved, or become chargeable in *Great Britain* or *Ireland*, in respect of Relief afforded to himself, or any Person whom he is liable to maintain, or if in any Case the Secretary at War for the Time being, and the Guardians of the Poor of any Union or Parish, or the Overseers of any Parish or Township not under a Board of Guardians, or the Heritors and Kirk Session of any Parish in *Scotland*, think it desirable that the whole or any Part of the Pension of such Pensioner should be advanced out of the Poor's Rate or Funds applicable to the Relief of the Poor, it shall be lawful for the Secretary at War, by any Writing under his Hand, or under the Hand of any Officer or other Person employed by him, to agree with such Guardians or Overseers, or Heritors and Kirk Session, for the Repayment to them out of the Pension of any such Pensioner of the Amount of Relief so advanced to or expended on his Account, but not exceeding, in any Case where Relief

Relief has been administered to his Wife or One Child only whom he is bound to maintain, the Amount of One Half his Pension or Allowance, or to Two or more such Children, or to his Wife and One or more such Child or Children, the Amount of Two Thirds of his Pension so advanced.

Care of Lunatic Pensioners.

X. And be it enacted, That in case any such *Chelsea* or *Greenwich* Pensioner as aforesaid shall be or become insane it shall be lawful for the Secretary at War for the Time being, upon being satisfied of such Insanity, to order that the Pension of the said insane Pensioner, or so much thereof as shall appear to him to be necessary for his Care and Maintenance, shall be paid to such Guardians of the Poor or Overseers, or Heritors and Kirk Session, or to the Wife, Child, or any other Person to whom the Care of such insane Pensioner may be intrusted, or who may be chargeable for or liable to the Expence of his Care and Maintenance; and the Receipt of the Person or Persons to whom the same shall be directed to be paid shall be a sufficient Voucher and Discharge for so much Money as shall appear to have been paid thereon: Provided always, that where no Claim or Demand shall be made for the Support of any such insane Pensioner, or where the Charge for his Care and Maintenance does not amount to the full Rate of his Pension, then and in every such Case it shall be lawful for the Secretary at War, at his Discretion, to order his Pension, or so much thereof as may not be necessary for his Care and Maintenance as aforesaid, to be paid to his Wife or Child or Children, if he have any.

Arrears of Pensions under 50*l.* may be paid to personal Representatives without Probate or Letters of Administration.

XI. And be it enacted, That it shall be lawful for the Secretary at War for the Time being to pay or to authorize the proper Officer to pay to any Person or Persons who shall prove him, her, or themselves, to the Satisfaction of such Secretary at War or of the said proper Officer, to be the next of Kin or legal Representative, or otherwise legally entitled to any Pension Money due to any deceased Pensioner not exceeding Fifty Pounds, although such Person shall not have taken out Letters of Administration, or have procured Probate of any Will of such deceased Pensioner.

Bills on account of Pensions paid to be presented to the Paymaster General, and all Vouchers, &c. to be transmitted to the Secretary at War.

XII. And be it enacted, That all Bills of Exchange drawn or which may be drawn by *British* Ministers, Consuls, and others abroad, on account of Payments made by them to Out-Pensioners of *Chelsea* or *Greenwich* Hospital, shall after the passing of this Act be presented for Acceptance at the Office of the Paymaster General, and all Letters of Advice, Receipts, and Vouchers having Relation to such Bills of Exchange shall be transmitted to the Office of the Secretary at War in the same Manner as they have hitherto been transmitted to *Chelsea* Hospital and to the *Greenwich* Out-Pension Office.

Alteration of Act.

XIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

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