

Section 25 of the Social Security Act 1989
as amended by clause 15 of the Armed Forces Bill 2015
(war pensions committees and armed and reserve forces compensation schemes)

January 2016

Introduction

To assist MPs and peers in preparing for debates, the Ministry of Defence has prepared this informal text of section 25 of the Social Security Act 1989 as amended by clause 15 of the Armed Forces Bill 2015 (war pensions committees and armed and reserve forces compensation schemes). It has not been approved by Parliamentary Counsel.

Text inserted by clause 15 of the Armed Forces Bill is **highlighted**.

Where text is omitted or substituted by clause 15, it is struck through and presented in red.

An ellipsis (...) indicates that text has previously been repealed (e.g. section 25(5)).

Social Security Act 1989

War pensions committees

25 Establishment and functions of war pensions committees

- (1) The Secretary of State may by regulations establish committees, known as war pensions committees, for such areas as may be specified in the regulations; and the regulations may, in particular, include provisions with respect to—
- (a) the membership of the committees;
 - (b) the manner in which the members are to be appointed and the period for which, and the terms on which, they are to hold office; and
 - (c) the manner in which they may be removed.

(1A) The regulations may give the committees functions relating to one or more of the following—

- (a) war pensions;
- (b) war pensioners;
- (c) AFCS benefits;
- (d) AFCS benefit recipients.

- (2) ~~The committees shall have such functions relating to war pensions and war pensioners as may be conferred upon them by the regulations; and~~ the regulations may, in particular, provide that ~~it shall be their function~~ it is a function of a committee—
- (a) to consider any matter ~~connected with war pensions or affecting war pensioners in their area and, where they think~~ connected with war pensions or AFCS benefits or affecting people in its area who are war pensioners or AFCS benefit recipients and, where it thinks it appropriate, to make recommendations to the Secretary of State about that matter;
 - (b) to consider complaints made ~~to them by persons receiving or claiming war pensions and, if they think~~ to it by people receiving or claiming war pensions or AFCS benefits and, if it thinks fit, to make representations about those complaints to the Secretary of State;
 - (c) to consider any matters referred to ~~them~~ it by the Secretary of State and to report to him on those matters with such recommendations as ~~they~~ it may think fit; and
 - (d) to assist the War Pensioners' Welfare Service in looking after the welfare of ~~war pensioners in their area~~ people in its area who are war pensioners or AFCS benefit recipients.

- (3) The regulations may include provisions with respect to the manner in which the committees are to discharge the functions conferred on them; and they shall exercise their functions subject to, and in accordance with, any such provisions.

(3A) The regulations may provide for the committees to have names specified in the regulations (as well as being known as war pensions committees).

- (4) In this section—

“AFCS benefit” means a benefit payable under an armed and reserve forces compensation scheme established by order under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004;

“AFCS benefit recipient” means a person in receipt of an AFCS benefit, in the person’s capacity as such;

“war pension” means—

- (a) any pension or other benefit, payable otherwise than under an enactment, for or in respect of a person who has died or been disabled in consequence of service as a member of the armed forces of the Crown,
- (b) any pension or benefit awarded under—
 - (i) the Personal Injuries (Emergency Provisions) Act 1939,
 - (ii) the Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939, or
 - (iii) the Polish Resettlement Act 1947,
- (c) any pension or other payment which constitutes such an obligation as is mentioned in section 4(1) of the Statute Law Revision Act 1958 (seamen and fishermen killed or injured in the 1914-1918 war),
- (d) any other pension or benefit which is specified in an order made by the Secretary of State for the purposes of this section,

but does not include any pension or benefit administered by the Defence Council, or the Commissioners for the Royal Hospital for Soldiers at Chelsea, or a pension or benefit administered by the Minister of the Crown with responsibility for defence (except one administered by him in the exercise of functions transferred to him from the Secretary of State for Social Security); and

“war pensioner” means a person in receipt of a war pension, in his capacity as such a pensioner.

- (5), (6) . . .