

The position in Great Britain as to forfeiture is as follows :—

“ Forfeiture of pensions : The question of the forfeiture or suspension of pension during and following service of a term of imprisonment for a civil offence was reconsidered during the year, following upon representations as to hardship thereby inflicted. After careful consideration of the position, the Minister decided that, except in cases of conviction for treason, pension should for the future be restored to the pensioner as from the date of his release from prison. With the same exception it was also decided in the case of married pensioners to permit the wife (subject to the pensioner's consent) to receive a part of the pension during imprisonment. In all cases allowances to wives and children at the appropriate rates are now continued while the man is serving sentence.”—(Extract from Third Annual Report, Minister of Pensions).

We recommend that the matter be left to the discretion of the Board, subject to the approval of the Minister, as at present. The general exercise of this discretion should be based on some such principles as these : Where the pensioner is married the pension be paid to his dependants during his imprisonment ; if single, his economic pension (if any) be suspended, but his compensation pension to accumulate for his benefit after discharge. If a man's conduct is satisfactory after discharge he be reinstated to his full rights. The man's character and conduct appear to us to be all-important. At present the Board has power under section 15 of the 1916 Act to refuse a pension to an applicant of notoriously bad character or who has been guilty of gross misconduct dishonouring him in the public estimation. On such refusal the applicant has the right to have his character further investigated by a Magistrate.

We recommend that power be expressly given to the Board to review or cancel any existing pension on like grounds, the pensioner having the right as above mentioned to have his character further investigated by a Magistrate.

R.S.A. CLAIM 8.—*That soldiers' pensions should be exempted from income-tax.*

We understand a provision to this effect is at present before Parliament, and it commends itself to us as a proper concession.

R.S.A. CLAIM 9.—*That a soldier's widow should be eligible for a pension irrespective of the date of the marriage.*

We approve of the general principle of this claim, subject to certain necessary safeguards. This principle has been recognized in the case of a soldier's wife (the husband being still alive) by the Finance Act, 1919, which provides that a woman “ shall have the benefits of a dependant who becomes by marriage in New Zealand the wife of a member of the Forces at any time after the expiry of two years from the date of his discharge, if having regard to all the circumstances of the case the Board is of opinion that she should be entitled to the benefits of a dependant.”

Limitations were generally recognized to be necessary to guard against death-bed marriages. The Board has exercised its discretion under this provision in the case of marriages which it regarded as proper, having regard to the health of the soldier at the time of the marriage. There is the case of a T.B. patient, an inmate of a sanatorium, on full pension, who married a girl of eighteen years during his absence on leave from the sanatorium, and died a year or two later leaving two children. This is manifestly an improvident marriage. The present position is that though the Board can grant a pension to the wife in the case of what is regarded as a proper marriage, when the soldier dies from war disability she does not get the rights of a soldier's widow, though anomalously enough the children appear to be still entitled to the full rights of a soldier's children.

We recommend that the marriage time-limit be abolished, and that the woman be entitled to full rights of a soldier's wife and widow (if death results from war disabilities), subject to the proviso that the Board is satisfied that the marriage was a reasonable and proper one, having regard to the man's health at the time of marriage. As regards future marriages, this assurance could be supplied by medical certificate, and the Board's approval could be given before marriage. In the cases of marriages already contracted the Board could make inquiry, and decide on similar principles. It was suggested that if the marriage endured for twelve months this would be an assurance that it was not an improvident one. The T.B. case cited above shows that this period in itself would not be a proper safeguard.