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## SCHEDULES

### SCHEDULE 10

Section 97(4).

#### SUPPLEMENTARY PROVISIONS AS TO LOCAL TRIBUNALS, COMMISSIONERS, ETC

##### *Panels for appointment to local tribunals*

- 1 (1) The panels referred to in section 97(2) of this Act shall be constituted by the Secretary of State for the whole of Great Britain, and each panel shall relate to such area as the Secretary of State thinks fit, and be composed of such persons as the Secretary of State sees fit to appoint.
- (2) Before appointing members to either of the panels, the Secretary of State may take into consideration any recommendations from any local committee representing employers or employed earners or both, or from organisations concerned with the interests of employers or employed earners, including friendly societies or organisations representative of friendly societies.
- (3) The members of the panels shall hold office for such period as the Secretary of State may direct:
- Provided that the Secretary of State may at any time terminate the appointment of any member of a panel.
- (4) So far as practicable, each member of a panel shall be summoned in turn to serve upon a local tribunal:
- Provided that—
- (a) no member of a panel shall sit upon a local tribunal during the consideration of a case—
    - (i) in which he appears as the representative of the claimant; or
    - (ii) by which he is or may be directly affected ; or
    - (iii) in which he has taken any part as an official of an association, or as an employer, or as a witness, or as a person to whom any question arising thereon has been referred for examination and report in accordance with section 93(3) of this Act or with regulations under section 114(1), or otherwise ;
  - (b) where the benefit claimed is unemployment benefit, the member chosen from the first panel shall, if practicable, be a representative of employers ; and
  - (c) in any case in which the claimant is a woman, at least one of the members of the tribunal, if practicable, shall be a woman.

##### *Tribunal chairmen*

- 2 (1) A person appointed to act as chairman of a local tribunal shall hold and vacate office in accordance with the terms of his letter of appointment.

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- (2) Where several persons are appointed to act as chairmen for a particular area they shall as far as practicable be invited to preside over a tribunal in turn :

Provided that this sub-paragraph shall not apply to a person expressly appointed to serve as a substitute when some other person may be unwilling or unable to act.

*Expenses of tribunal members and others*

- 3 (1) The Secretary of State may pay—
- (a) to any person (other than a Commissioner) appointed under Part III of this Act to determine questions or as a member of, or assessor to, any tribunal constituted under that Part, such remuneration and such travelling and other allowances ;
  - (b) to any person required to attend at any proceedings or inquiry under Part III, such travelling and other allowances ; and
  - (c) such other expenses in connection with the work of any person, tribunal or inquiry appointed or constituted under any provision of that Part (other than a tribunal presided over by a Commissioner),
- as the Secretary of State with the consent of the Minister for the Civil Service may determine.
- (2) The Secretary of State may pay to persons required under this Act (whether for the purposes of this Act or otherwise) to attend for or to submit themselves to medical or other examination or treatment such travelling and other allowances as he may determine with the consent of the Minister for the Civil Service.
- (3) In this paragraph references to travelling and other allowances include references to compensation for loss of remunerative time:
- Provided that such compensation shall not be paid to any person in respect of any time during which he is in receipt of remuneration under this paragraph.

*Commissioners' remuneration etc., and their pensions*

- 4 The Secretary of State shall pay to a National Insurance Commissioner such salary or other remuneration, and such expenses incurred in connection with the work of a Commissioner or any tribunal presided over by a Commissioner, as may be determined by the Minister for the Civil Service.
- 5 (1) The Secretary of State may from time to time recommend to the Minister for the Civil Service that there shall be paid out of money provided by Parliament to a National Insurance Commissioner an annual sum by way of superannuation allowance calculated in accordance with sub-paragraph (2) below if either—
- (a) he is at the time of his retirement over the age of 72 or, where he retires after 15 years' service, the age of 65 ; or
  - (b) the Secretary of State is satisfied by means of a medical certificate that at the time of his retirement he is, by reason of infirmity of mind or body, incapable of discharging the duties of his office and that the incapacity is likely to be permanent.
- (2) When the number of completed years of service is as specified in column 1 of the Table below, the annual allowance shall not exceed the fraction of the last annual salary respectively specified in the second column of the Table—

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TABLE

<i>Years of service</i>	<i>Fraction of salary</i>
Less than 5	6/40ths
5	10/40ths
6	11/40ths
7	12/40ths
8	13/40ths
9	14/40ths
10	15/40ths
11	16/40ths
12	17/40ths
13	18/40ths
14	19/40ths
15 or more	20/40ths

- (3) For the purposes of sub-paragraphs (1) and (2) above—
- service as Commissioner which is not remunerated by means of a salary shall be disregarded ;
  - the Minister for the Civil Service may by regulations provide for counting as service as Commissioner pensionable service in any other capacity under the Crown.
- (4) The decision of the Minister for the Civil Service shall be final on any question arising as to—
- the amount of any superannuation allowance under this paragraph; or
  - the reckoning of any service for the purpose of calculating such an allowance.
- (5) This paragraph is without prejudice to the pension benefits conferred by the Administration of Justice (Pensions) Act 1950.

*Commissioners' pensions: supplementary*

- 6 (1) Sub-paragraph (2) below applies where—
- the rate of the superannuation allowance payable to a person under paragraph 5(1) above as National Insurance Commissioner is or would be increased by virtue of regulations made under paragraph 5(3)(b) in respect of service in some other capacity ; and
  - a pension payable to him wholly in respect of service in that other capacity would have been paid and borne otherwise than out of money provided by Parliament.
- (2) Any pension benefits paid to or in respect of him as having been Commissioner shall, to such extent as the Minister for the Civil Service may determine, having regard to the relative length of service and rate of remuneration in each capacity, be paid and

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borne in like manner as that in which a pension payable to him wholly in respect of service in that other capacity would have been paid or borne.

- (3) In paragraph 5 and in this paragraph—
- (a) "pension" includes any superannuation or other retiring allowance or gratuity, and "pensionable" shall be construed accordingly; and
  - (b) "pension benefits" includes benefits payable on retirement or death by way of lump sum or gratuity, and benefits payable in respect of a person's service or employment to other persons by way of widow's or orphan's pension or otherwise.