1. Citation, commencement and interpretation

(1) These Regulations may be cited as the Isle of Man War Pensions Committee Regulations 2002, and shall come into force on 15th July 2002.

(2) In these Regulations -

“the Committee” means the Isle of Man War Pensions Committee; [1]and

“member” means a member of the Committee or, where the context so requires, a member of a sub-committee appointed under paragraphs 11 to 16 of the Schedule;

[2]

2. Revocation of regulations and abolition of existing committee

[3](1) In the Social Security Legislation (Application) (No. 5) Order 1992 (which applied, with appropriate exceptions, adaptations and modifications, section 25 of the Social Security Act 1989 and the War Pensions Committees Regulations 1990[4] to the Isle of Man) -

(a) in article 2(1) (the legislation being applied by the Order) revoke sub-paragraph (b) and the word “and” immediately preceding it; and

(b) revoke Part II of the Schedule to that Order (which sets out the exceptions, adaptations and modifications subject to which the War Pensions Committees Regulations 1990 were to have effect in the Isle of Man).

(2) The committee established and operated under the War Pensions Committees Regulations 1990 shall be abolished.]

3. Establishment, membership, constitution, proceedings, etc. of the Committee

[5]

(1) There is established a committee named “the Isle of Man War Pensions Committee”.

(2) The Committee shall consist of 18 members appointed by the Council of Ministers, subject to the approval of Tynwald, including -

(a) 4 persons nominated by the Soldiers’, Sailors’ and Airmen’s Families Association;

[1] Word added by regulation 3(a) of SD728/06 from 1 November 2006.
[2] Definitions of “widow” and “widower” omitted by regulation 3(b) of SD728/06 from 1 November 2006.
[6] Paragraph substituted by regulation 5 of SD885/04 from 1 February 2005. For transitional provisions see regulation 10 ibid.
(b) 4 persons nominated by the Royal British Legion (Isle of Man County);
(c) 2 persons nominated by the Isle of Man Trades Council;
(d) 1 person nominated by the Independent Order of Oddfellows;
(e) 1 person nominated by the Joint Ex-Servicemen’s Association; and
(f) 6 persons nominated by the Council of Ministers, one of whom shall be a member of Tynwald.]

(3) Except in the case of the first appointments made after the coming into operation of these Regulations, the Council of Ministers shall consult the Committee before making any appointment under paragraph (2) above.

(4) The Schedule to these Regulations shall have effect with respect to the Committee.

4. Functions of the Committee

(1) The Committee shall -
   (a) enable and foster [²] consultation with the Secretary of State on issues affecting war pensioners, [³surviving spouses, surviving civil partners] [⁴or veterans in the Isle of Man];
   (b) help to increase awareness [⁵in the Isle of Man] about war pensions;
   [⁶(c) support the Veterans Agency by monitoring its welfare service, raising awareness of the service it provides and liaising with other organisations with a view to ensuring that the welfare needs of pensioners, surviving spouses, surviving civil partners, veterans and their dependants in the Isle of Man are suitably addressed; and]
   (d) assist war pensioners, [⁷surviving spouses, surviving civil partners] [⁸and veterans in the Isle of Man] with any problem or complaint regarding pensions or the welfare services provided by the Veterans Agency on behalf of the Secretary of State.

(2) The Committee may, in particular -
   (a) assist any individual war pensioner, [⁹surviving spouse, surviving civil partner] [¹⁰or veteran in the Isle of Man] in pursuing any problem or complaint mentioned in paragraph (1)(d) above;
   (b) make representations and recommendations to the Secretary of State about any problem or complaint mentioned in paragraph (1)(d) above;
   (c) report to the Secretary of State on any matter arising pursuant to its functions under paragraph (1) above;

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² The words “the Committee” substituted in the heading to regulation 4 by regulation 6 of SD885/04 from 1 February 2005.
³ Word omitted by regulation 7(a)(i)(aa) of SD885/04 from 1 February 2005.
⁴ Words substituted by regulation 3(a) of SD728/06 from 1 November 2006.
⁵ Words substituted by regulation 7(a)(i)(bb) of SD885/04 from 1 February 2005.
⁶ Subparagraph substituted by regulation 3(a) of SD137/07 from 1 April 2007.
⁷ Words substituted by regulation 7(a)(iv) of SD885/04 from 1 February 2005.
⁸ Words substituted by regulation 3(b)(i) of SD728/06 from 1 November 2006.
⁹ Words substituted by regulation 7(b)(i) of SD885/04 from 1 February 2005.
(d) receive and disburse funds from charitable or other sources for the sole purpose of provision of social and welfare activities for war pensioners, [1] surviving spouses, surviving civil partners] [2] and veterans in the Isle of Man.

(3) Where funds are received as mentioned in paragraph (2)(d) above, [3] the Committee] shall keep proper accounts of all receipts and disbursements, and shall provide a copy of those accounts to the Secretary of State as soon as practicable after -

(a) the end of each financial year;

(b) at any other time, on receipt of a written request from the Secretary of State.

5. Recommendations and representations

Any recommendations or representations which [4] the Committee] makes to the Secretary of State shall be by way of a resolution.

Schedule - Proceedings, etc. of Committees

Regulation 3(4)

Members

1. Subject to paragraphs 2 and 3, a member shall hold office for such period (not exceeding 5 years) as may be specified in the instrument by which he is appointed.

2. A member may resign from the Committee by notice in writing sent to the Chief Secretary.

3. The Council of Ministers may, after consultation with the Committee, remove a member from office if it has reasonable grounds to believe that the member is unable, unfit or unsuitable to discharge the functions of a member.

Chairman and Vice-Chairman

4. The Committee shall from time to time elect a Chairman and Vice-Chairman from among their number, who shall hold office for such period (not exceeding the appointee’s term as a member) as the Committee by resolution determines.

5. The following shall preside over any Committee meeting -

(a) the Chairman; or

(b) in the Chairman’s absence, the Vice-Chairman,

but if neither of those officers is present, the members present shall elect one of their number to act as Chairman for the purposes of that meeting only.

Proceedings

6. The Committee shall hold a meeting normally each month and not less than 6 times a year.

7. One-third of the members may requisition a meeting by giving written notice to the Chairman, who shall call the meeting within 4 weeks of receipt of the notice.

8. The quorum of the Committee shall be at least half of its members.

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1 Words substituted by regulation 3(b)(ii) of SD728/06 from 1 November 2006.
2 Words substituted by regulation 7(b)(ii) of SD885/04 from 1 February 2005.
3 Words substituted by regulation 7(c) of SD885/04 from 1 February 2005.
4 Words substituted by regulation 8 of SD885/04 from 1 February 2005.
9. The Committee shall make decisions by a simple majority of members present and voting. In the event of equality of votes, the person presiding over the meeting shall have the casting vote.

10. Minutes of a meeting shall -

(a) be recorded in a minute book;
(b) include the names of members present at the meeting;
(c) be signed by the person presiding at the meeting;
(d) be open to inspection by the Secretary of State.

Sub-Committees

11. The Committee may, from among its members, appoint a sub-committee to assist the Committee in carrying out any of its functions.

12. The Committee shall appoint from among its number a Chairman for the sub-committee. The Chairman for the sub-committee shall preside over any sub-committee meeting, but in the Chairman’s absence the members of the sub-committee present shall elect one of their number to act as Chairman for the purposes of that meeting only.

13. Decisions of the sub-committee shall be by a simple majority of the sub-committee members present and voting, and in the event of equality of votes the Chairman of the sub-committee shall have a casting vote.

14. Paragraph 10 shall apply to any meeting of a sub-committee.

15. A sub-committee shall act in accordance with any directions of the Committee.

16. A sub-committee which considers a complaint made to the Committee by a person receiving or claiming a war pension [or by a veteran] shall, as soon as reasonably practicable, submit to the Committee a report of any hearing it has held into the complaint together with a copy of any representations it has made to the Secretary of State.

\(^1\) Words inserted by regulation 9 of SD885/04 from 1 February 2005.