

India Office, 21st June, 1946.

The KING has been pleased to appoint the Honourable Rajaram Shripad Bavdekar, Indian Civil Service, to be a Judge of the High Court in Bombay in the place of the Honourable Sir Harilal Jekisondas Kania.

COUNTY OF WEST SUSSEX.

105,188. (20th June, 1946.)

APPOINTMENT OF ADJUDICATING OFFICERS.

Whereas it is expedient that the Council of the County of West Sussex (in this order referred to as "the Council") should be empowered to appoint officers to be termed Adjudicating Officers to perform duties under the Poor Law Acts, 1930 to 1938, relating to the grant of relief:

Now therefore the Minister of Health, in exercise of the powers conferred upon him by the Poor Law Act, 1930, and of all other powers enabling him in that behalf, hereby makes the following order.

Citation, &c.

1.—(1) This order may be cited as the West Sussex (Adjudicating Officers) Order, 1946, and in its application to the County of West Sussex (in this order referred to as "the County") shall be read as one with the Public Assistance Order, 1930, as amended by the Public Assistance (Casual Poor) Order, 1931, as subsequently amended, the Public Assistance (Amendment) Order, 1939, the Public Assistance (Amendment) Order, 1940, the Public Assistance (Amendment) Order (No. 2), 1940, the Public Assistance (Amendment) Order, 1941, and the Public Assistance (Amendment) Order, 1945, and modified by this order:

Provided that in case of any inconsistency the provisions of this order shall prevail.

(2) This order shall come into operation on the first day of August, 1946.

Modification of orders, &c., applicable to the County.

2.—(1) Any orders, rules or regulations made by the Minister and in force in the County shall in their application to the County have effect subject to such modifications as may be necessary to give full effect to the provisions of this order.

(2) Notwithstanding the generality of the provisions of paragraph (1) of this article the Public Assistance Order, 1930, as amended as hereinbefore set out shall in its application to the County be modified in manner following:—

(a) in paragraph (1) (b) of article 25, before the words "a Relieving Officer", there shall be inserted the words "an Adjudicating Officer or";

(b) in paragraph (5) of article 166, after the words "the Council" wherever those words occur, there shall be inserted the words "or an Adjudicating Officer", and after the words "when required by them" there shall be inserted the words "or him";

(c) to paragraph (1) of article 167 there shall be added the words "and shall also attend before any Adjudicating Officer when that Officer is considering applications for relief reported to him by the Relieving Officer";

(d) in paragraph (4) of article 167, after the word "Committee", there shall be inserted the words "and each attendance before any Adjudicating Officer";

(e) in paragraph (5) of article 167, after the words "next meeting" there shall be inserted the words "or to an Adjudicating Officer acting in their stead", and for the words "their previous meeting", there shall be substituted the words "the date of the previous consideration by the Committee or the Adjudicating Officer as the case may be";

(f) in paragraph (12) of article 167, after the words "until the next ordinary meeting of the Committee", there shall be inserted the words "or until the consideration of the case by an Adjudicating Officer acting in their stead."

(3) Notwithstanding the generality of the provisions of paragraph (1) of this article the Relief Regulation Order, 1930, as partly rescinded on the 19th December, 1931, and amended by the Relief Regulation (Amendment) Order, 1932, the Relief Regulation (Amendment) Order, 1940, and the Relief Regulation (Amendment) (No. 2) Order, 1940, shall in its application to the County be modified in manner following:—

(a) in the proviso to paragraph (2) (a) of article 11, after the word "Committee" where-

ever that word occurs, there shall be inserted the words "or an Adjudicating Officer acting in their stead" and the word "their" in line 7 shall be omitted;

(b) in article 10, the proviso to article 12 and article 16, after the words "Committee or Sub-Committee", wherever those words occur, there shall be inserted the words "or an Adjudicating Officer acting in their stead."

Appointment of Adjudicating Officers.

3. The Council may from time to time appoint such numbers of suitable persons as they think necessary to hold the office of Adjudicating Officer to perform such of the duties of that office (as prescribed by this order) in such area or areas as the Council may from time to time require.

4. Every person appointed by the Council as an Adjudicating Officer shall be a senior poor law officer.

Duties of Adjudicating Officer.

5. The duties of Adjudicating Officer shall be the following:—

(a) to determine, in accordance with the statutory provisions and any rules, orders or regulations made by the Minister in that behalf, and, subject thereto, in accordance with any regulations made by the Council for the purpose, the nature and amount of relief (if any) to be given to applicants for relief within such classes or falling to be dealt with in such circumstances as the Council shall from time to time authorise;

(b) to make orders for the grant of relief accordingly;

(c) to reconsider periodically, in accordance with any rules, orders or regulations made by the Minister in that behalf, and subject thereto, in accordance with any regulations made by the Council for the purpose, the cases of persons receiving relief within such classes or falling to be dealt with in such circumstances as the Council shall from time to time authorise, and to make any necessary orders with regard thereto;

(d) to report to the appropriate Committee or Sub-Committee of the Council all orders for relief made by him;

(e) to refer for consideration by the appropriate Committee or Sub-Committee of the Council such of the cases falling to be dealt with by him under this order as in his opinion should be dealt with by the Committee or Sub-Committee, and also any cases falling within such classes as the Council may from time to time direct;

(f) to refer to the appropriate Committee or Sub-Committee of the Council for review or consideration any case in which a recipient of relief or an applicant for relief asks for reconsideration of the Adjudicating Officer's determination or proposed determination of his case;

(g) to keep Relief Order Books and to make entries therein in accordance with the provisions of article 22 of the Public Assistance Order, 1930, whenever he considers applications for relief or reconsiders cases in which relief has been granted;

(h) to report to the appropriate Committee or Sub-Committee of the Council all cases in which an application for relief has been refused or in which on reconsideration relief has been discontinued;

(i) to determine, in accordance with such regulations as may be made by the Council, the amounts (if any) to be paid by recipients of relief within such classes or falling to be dealt with in such circumstances as the Council shall from time to time authorise, or the persons liable for their maintenance, towards reimbursing the Council the amounts expended by them on relief;

(j) to keep a record of all determinations under the last preceding sub-paragraph and to report the same to the appropriate Committee or Sub-Committee of the Council;

(k) to refer for consideration by the appropriate Committee or Sub-Committee of the Council such of the cases referred to in sub-paragraph (i) as in his opinion should be dealt with by the Committee or Sub-Committee, and also any cases falling within such classes as the Council may from time to time direct;

(l) to refer for review or consideration by the appropriate Committee or Sub-Committee of the Council every case in which any person affected by a determination made or proposed to be made by him under sub-paragraph (i) asks that the matter should be reconsidered; and