

1987 No. 165

PENSIONS

The Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Amendment Order 1987

<i>Made</i>	- - -	<i>10th February 1987</i>
<i>Laid before Parliament</i>		<i>18th February 1987</i>
<i>Coming into force</i>	-	<i>6th April 1987</i>

At the Court at Buckingham Palace, the 10th day of February 1987

Present

The Queen's Most Excellent Majesty in Council

WHEREAS Her Majesty deems it expedient to amend the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983(a) and to do so by Order in Council in pursuance of section 12(1) of the Social Security (Miscellaneous Provisions) Act 1977(b):

NOW, THEREFORE, Her Majesty, in exercise of the powers conferred by the said section 12(1) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and interpretation

1.—(1) This Order, which may be cited as the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Amendment Order 1987, shall come into force on 6th April 1987.

(2) In this Order, the expression “the principal Order” means the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983.

Amendment of article 18 of the principal Order

2. In article 18 of the principal Order (unemployability allowances) in paragraph (2) for the amount “£1,326” there shall be substituted the amount “£1,352”.

Amendment of Schedules to the principal Order

3.—(1) In Schedule 1 to the principal Order (rates of pension and other grants payable in respect of disablement)—

(a) for Tables 1 and 3 of Part II there shall respectively be substituted the Tables set out in Schedules 1 and 2 hereto;

(a) S.I. 1983/883, as amended by S.I. 1983/1116, 1521, 1984/1154, 1687, 1985/1201, 1986/592.

(b) 1977 c. 5.

- (b) for Tables 1 and 2 of Part III there shall respectively be substituted the Tables set out in Schedules 3 and 4 hereto;
- (c) for Part IV there shall be substituted the Part set out in Schedule 5 hereto.

(2) In Schedule 2 to the principal Order (rates of pension and other grants payable in respect of death)—

- (a) for Table 1A of Part II there shall be substituted the Table set out in Schedule 6 hereto;
- (b) for the amount “£2,623” in the second column of Table 1B of Part II there shall be substituted the amount “£2,677”;
- (c) for the amounts “£50.30” and “£11.61” in the second and third columns of Table 3 of Part II there shall respectively be substituted the amounts “£51.35” and “£11.85”;
- (d) for Table 5 of Part II there shall be substituted the Table set out in Schedule 7 hereto;
- (e) for Part III there shall be substituted the Part set out in Schedule 8 hereto.

G. I. de Deney
Clerk of the Privy Council

SCHEDULE 1

Article 3(1)(a)

Table to be substituted for Table 1 of Part II of Schedule 1 to the principal Order

Table 1: Yearly Rates of—

A. Retired Pay and Pensions for Disabled Officers and Nurses for all Ranks in Groups 1–9 of Part I of this Schedule

B. Disablement Addition on a Pension Basis (Article 43(3)(a)) for all Ranks in Groups 1–9 of Part I of this Schedule and Groups 2 and 3 of Part I or Schedule 2

<i>Degree of Disability</i>	<i>Yearly Rate</i>
Per cent.	£
100	3398
90	3058
80	2718
70	2379
60	2039
50	1699
40	1359
30	1019
20	680

SCHEDULE 2

Article 3(1)(a)

Table to be substituted for Table 3 of Part II of Schedule 1 to the principal Order

Table 3: Weekly Rates of Pension for Disabled Other Ranks Groups 10-15

<i>Degree of Disability</i>	<i>Weekly Rate</i>
Per cent.	£
100	64.50
90	58.05
80	51.60
70	45.15
60	38.70
50	32.25
40	25.80
30	19.35
20	12.90

SCHEDULE 3

Article 3(1)(b)

Table to be substituted for Table 1 of Part III of Schedule 1 to the principal Order

Table 1: Gratuities payable for specified minor injuries

<i>Description of Injury</i>	<i>Assessments</i>	<i>Groups 1-9</i>	<i>Groups 10-15</i>
	<i>Per cent.</i>	£	£
For the loss of:—			
A. FINGERS			
Index Finger—			
More than 2 phalanges, including loss of whole finger	14	3278	3248
More than 1 phalanx, but not more than 2 phalanges.....	11	2624	2599
1 phalanx or part thereof.....	9	2185	2165
Guillotine amputation of tip without loss of bone.....	5	1307	1297
Middle Finger—			
More than 2 phalanges, including loss of whole finger	12	2839	2814
More than 1 phalanx, but not more than 2 phalanges.....	9	2185	2165
1 phalanx or part thereof.....	7	1746	1731
Guillotine amputation of tip without loss of bone.....	4	1093	1083
Ring or little finger—			
More than 2 phalanges, including loss of whole finger	7	1746	1731
More than 1 phalanx, but not more than 2 phalanges.....	6	1532	1517
1 phalanx or part thereof.....	5	1307	1297
Guillotine amputation of tip without loss of bone.....	2	654	649
B. TOES:—			
Great toe—			
through metatarso-phalangeal joint.....	14	3278	3248
part with some loss of bone.....	3	868	863
1 other toe—			
through metatarso-phalangeal joint.....	3	868	863
part, with some loss of bone.....	1	439	434
2 toes, excluding great toe—			
through metatarso-phalangeal joint.....	5	1307	1297
part, with some loss of bone.....	2	654	649
3 toes, excluding great toe—			
through metatarso-phalangeal joint.....	6	1532	1517
part, with some loss of bone.....	3	868	863
4 toes, excluding great toe—			
through metatarso-phalangeal joint.....	9	2185	2165
part, with some loss of bone.....	3	868	863

SCHEDULE 4

Article 3(1)(b)

Table to be substituted for Table 2 of Part III of Schedule 1 to the principal Order

Table 2: Gratuities Payable to Members of the Armed Forces for Disablement Assessed at Less than 20 Per cent, not being a Minor Injury Specified in Table 1

Group	<i>Estimated duration of the disablement within the degree referred to</i>								
	<i>Temporary less than a year</i>			<i>Temporary more than a year</i>			<i>Indeterminate</i>		
	<i>Per cent.</i>			<i>Per cent.</i>			<i>Per cent.</i>		
	1-5	6-14	15-19	1-5	6-14	15-19	1-5	6-14	15-19
	£	£	£	£	£	£	£	£	£
1	191	425	742	381	847	1483	1144	2543	4449
3	189	420	735	377	838	1467	1132	2516	4402
4	187	416	727	373	829	1451	1120	2489	4355
5	185	413	721	371	823	1441	1112	2471	4323
6	184	410	716	368	817	1430	1104	2453	4292
7, 8	182	405	708	364	808	1414	1092	2426	4245
9	180	401	700	360	799	1399	1080	2399	4197
10	181	402	702	362	802	1403	1079	2397	4189
11	181	401	701	361	801	1400	1077	2392	4180
12	180	401	699	360	799	1397	1075	2387	4171
13	180	400	698	360	797	1394	1073	2382	4163
14	179	399	696	359	796	1391	1070	2377	4154
15	179	398	695	358	794	1388	1068	2372	4145

SCHEDULE 5

Article 3(1)(c)

Part to be substituted for Part IV of Schedule 1 to the principal Order

PART IV

RATES OF ALLOWANCES PAYABLE IN RESPECT OF DISABLEMENT

<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1-9</i>	<i>Groups 10-15</i>
1. Education allowance under article 13	£120.00 per annum (maximum)	£120.00 per annum (maximum)
2. Constant attendance allowance—		
(a) under article 14(1)(b).....	£2690 per annum (maximum)	£51.60 per week (maximum)
(b) under article 14(1)(a).....	£1345 per annum (maximum)	£25.80 per week (maximum)
3. Exceptionally severe disablement allowance under article 15.....	£1345 per annum	£25.80 per week
4. Severe disablement occupational allowance under article 16.....	£673 per annum	£12.90 per week
5. Allowance for wear and tear of clothing—		
(a) under article 17(1)(a).....	£56.00 per annum	£56.00 per annum
(b) under article 17(1)(b) and 17(2).....	£88.00 per annum	£88.00 per annum

SCHEDULE 5—*contd.*

<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1-9</i>	<i>Groups 10-15</i>
6. Unemployability allowances		
(a) personal allowance under article 18(1)(a).....	£2187 per annum	£41.95 per week
(b) additional allowances for dependants by way of—		
(i) increase of allowance in respect of a wife, husband or unmarried dependant living as a spouse, under article 18(5)(b).....	£1238 per annum (maximum)	£23.75 per week (maximum)
(ii) allowance in respect of an adult dependant under article 18(5)(c).	£1238 per annum (maximum)	£23.75 per week (maximum)
(iii) increase of allowance in respect of each child under article 18(5)(d).....	£420 per annum	£8.05 per week
7. Invalidity allowance under article 19—		
(a) if—		
(i) the relevant date fell before 5th July 1948; or		
(ii) on the relevant date the member was under the age of 35; or		
(iii) on the relevant date the member was under the age of 40 and had not attained the age of 65, in the case of the member being a man, or 60, in the case of the member being a woman, before 6th April 1979 and the period in respect of which payment of the allowance is to relate begins on or after 6th April 1979.....	£433 per annum	£8.30 per week
(b) if—		
(i) on the relevant date the member was under the age of 45; or		
(ii) on the relevant date the member was under the age of 50 and had not attained the age of 65, in the case of the member being a man, or 60, in the case of the member being a woman, before 6th April 1979 and the period in respect of which payment of the allowance is to relate begins on or after 6th April 1979.....	£276 per annum	£5.30 per week
(c) if heads (a) and (b) do not apply, and on the relevant date the member was a man under the age of 60 or a woman under the age of 55.....	£138 per annum	£2.65 per week
8. Comforts allowance—		
(a) under article 20(1)(a).....	£579 per annum	£11.10 per week
(b) under article 20(1)(b).....	£289 per annum	£5.55 per week
9. Allowance for lowered standard of occupation under article 21		
	£1345 per annum (maximum)	£25.80 per week (maximum)

SCHEDULE 5—*contd.*

<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1-9</i>	<i>Groups 10-15</i>
10. Age allowance under article 22 where the degree of pensioned disablement is—		
(a) 40 to 50 per cent.....	£235 per annum	£4.50 per week
(b) over 50 per cent., but not exceeding 70 per cent.	£365 per annum	£7.00 per week
(c) over 70 per cent., but not exceeding 90 per cent.	£524 per annum	£10.05 per week
(d) over 90 per cent.	£730 per annum	£14.00 per week
11. Treatment allowances— increase of personal allowance under article 23(3).....	£730 per annum (maximum)	£14.00 per week (maximum)
12. Part-time treatment allowance under article 25.....	£25.40 per day (maximum)	£25.40 per day (maximum)
13. Mobility supplement under article 26A	£24.55 per week	£24.55 per week

SCHEDULE 6

Article 3(2)(a)

Table to be substituted for Table 1A of Part II of Schedule 2 to the principal Order

Table 1: Yearly Rates of Pensions for Widows of Officers

A.—Pensions other than pensions awarded under article 11(1) or (2) of the 1921 (Officers) Order or article 11(1) of the 1921 (Warrant Officers) Order, of the 1920 Warrant or of the 1921 Order

<i>Group</i>	<i>Rate</i>	<i>Rate</i>
(1)	(2)	(3)
	£	£
1	} 2677	} 2677
2		
3		
4		
5		
6		
7		
8		949
9		846
10		744
11		659

SCHEDULE 7

Article 3(2)(d)

Table to be substituted for Table 5 of Part II of Schedule 2 to the principal Order

Table 5: Maximum Yearly Rates of Pension for Relatives of 1914 World War Officers

<i>Group</i> (1)	<i>Rate</i> (2)
	£
1	} 2677
2	
3	
4	
5	
6	
7	
8	949
9	846
10	744
11	659

SCHEDULE 8

Article 3(2)(e)

Part to be substituted for Part III of Schedule 2 to the principal Order

PART III

RATES OF PENSIONS, OTHER THAN WIDOWS' PENSIONS AND ALLOWANCES, PAYABLE IN RESPECT OF DEATH

<i>Description of Pension</i> <i>of Allowance</i>	<i>Rate</i>	
	<i>Groups 1-11</i>	<i>Groups 12-17</i>
1. Pension under article 30 to unmarried dependant who lived as a spouse	£2571 per annum (maximum)	£49.30 per week (maximum)
2. Rent allowance under article 31	£19.55 per week (maximum)	£19.55 per week (maximum)
3. Allowance under article 32 to elderly widow or widower or unmarried dependant who lived as a spouse—		
(a) if age 65 but under 70	£287 per annum	£5.50 per week
(b) if age 70 but under 80	£574 per annum	£11.00 per week
(c) if age 80 or over	£722 per annum	£13.85 per week
4. Pension to widower under article 34	£3287 per annum (maximum)	£51.35 per week (maximum)
5. Allowances in respect of children—		
(a) under article 35(1) in respect of each child	£605 per annum	£11.60 per week
(b) under article 35(3)	£662 per annum	£12.70 per week
6. Pension under article 36 to a motherless or fatherless child of a member	£662 per annum	£12.70 per week
7. Pension or allowance under article 37(3) to or in respect of a child over the age limit	£2060 per annum (maximum)	£39.50 per week (maximum)

SCHEDULE 8—*contd.*

<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1-11</i>	<i>Groups 12-17</i>
8. Education allowance under article 38	£120 per annum (maximum)	£120 per annum (maximum)
9. Pensions to parents—		
(a) minimum rate under article 40(3).....	£15 per annum	£0.25 per week
(b) under paragraphs (a) and (b) of article 40(3)—		
(i) where there is only one eligible parent	(i) Groups 1-10 £75 per annum (maximum) (ii) Group 11 £60 per annum (maximum)	£1.00 per week (maximum)
(ii) where there is more than one eligible parent.....	(i) Groups 1-10 £100 per annum (maximum) (ii) Group 11 £85 per annum (maximum)	£1.38 per week (maximum)
(c) increase under article 40(3)(c).....	£20 per annum (maximum)	(i) where there is only one eligible parent— £0.38 per week (maximum) (ii) where there is more than one eligible parent— £0.62 per week (maximum)
(d) under paragraph (d) of article 40(4)..	—	£1.00 per week (maximum)
10. Pensions to other dependants—		
(a) under article 41(2).....	£54 per annum (maximum)	£1.00 per week (maximum)
(b) for each juvenile dependant under article 41(3).....	(i) Groups 1-10 £26 per annum (maximum) (ii) Group 11 £20 per annum (maximum)	£0.30 per week (maximum)
(c) aggregate rate under article 41(3).....	(i) Groups 1-10 £75 per annum (maximum) (ii) Group 11 £65 per annum (maximum)	£1.00 per week (maximum)

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which takes effect from 6th April 1987, further amends the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983 ("the principal Order") which makes provision for pensions and other awards in respect of disablement or death due to service in the naval, military and air forces during the 1914 World War and after 2nd September 1939.

Article 2 of this Order raises the maximum amount of annual earnings which may be received by a disabled person while he is deemed to be unemployable for the purposes of unemployability allowances under article 18 of the principal Order and article 3(1) and (2) substitutes Schedules in the principal Order thereby varying the rates of retired pay, pensions, gratuities and allowances in respect of disablement or death due to service in the armed forces.