

---

STATUTORY INSTRUMENTS

---

**1990 No. 250**

**PENSIONS**

**The Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Amendment Order 1990**

<i>Made</i>	- - - -	<i>14th February 1990</i>
<i>Laid before Parliament</i>		<i>22nd February 1990</i>
<i>Coming into force</i>		
— <i>for the purposes of articles 1 and 4</i>		<i>1st April 1990</i>
— <i>for all other purposes</i>		<i>9th April 1990</i>

At the Court of Saint James, the 14th day of February 1990

Present,

The Counsellors of State in Council

WHEREAS Her Majesty in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 18th day of January 1990 to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

NOW, THEREFORE, Her Majesty Queen Elizabeth The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by sections 12(1) and 24(3) of the Social Security (Miscellaneous Provisions) Act 1977(1) and of all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf 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 1990, shall come into force for the purposes of this article and article 4 on 1st April 1990 and for all other purposes on 9th April 1990.

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

#### **Amendment of article 18 of the principal Order**

2. In article 18 of the principal Order (unemployability allowances) in paragraph (2) for the amount “£1,482” there shall be substituted the amount “£1,820”.

#### **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;
- (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 “£2,954” in the second column of Table 1B of Part II there shall be substituted the amount “£3,178”;
- (c) for the amounts “£56.65” and “£13.08” in the second and third columns of Table 3 of Part II there shall respectively be substituted the amounts “£60.95” and “£14.07”;
- (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.

#### **Amendment of Schedule 4 to the principal Order**

4. In Part II of Schedule 4 to the principal Order, in column (3) of item 45 (meaning of the expression “public funds”) after paragraph (cc) there shall be inserted the following paragraph:

“(ccc) moneys provided under the Local Government Finance Act 1988(3); or”

*G. I. de Deney*  
Clerk of the Privy Council

---

(2) S.I.1983/883, as amended by S.I. 1983/1116, 1521, 1984/1154, 1687, 1985/1201, 1986/592, 1987/165, 1988/248, 2248 and 1989/156.

(3) 1988 c. 41.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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 SCHEDULEB. 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 OF SCHEDULE 2

Degree of Disability	Yearly rate
Per cent.	£
100	4,029
90	3,626
80	3,223
70	2,820
60	2,417
50	2,015
40	1,612
30	1,209
20	806

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

Degree of Disability	Weekly rate
Per cent.	£
100	76.60
90	68.94
80	61.28
70	53.62
60	45.96
50	38.30
40	30.64

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Degree of Disability	Weekly rate
30	22.98
20	15.32

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

Description of Injury	Assessments	Groups 1–9	Groups 10–15
For the loss of:	Per cent.	£	£
<b>A. FINGERS–</b>	14	3,878	3,848
Index Finger–			
More than 2 phalanges, including loss of whole finger			
More than 1 phalanx, but not more than 2 phalanges	11	3,104	3,079
1 phalanx or part thereof	9	2,585	2,565
Guillotine amputation of tip without loss of bone	5	1,547	1,537
Middle Finger–	12	3,359	3,334
More than 2 phalanges, including loss of whole finger			
More than 1 phalanx, but not more than 2 phalanges	9	2,585	2,565
1 phalanx or part thereof	7	2,066	2,051

Description of Injury	Assessments	Groups 1–9	Groups 10–15
Guillotine amputation of tip without loss of bone	4	1,293	1,283
Ring or little finger— More than 2 phalanges, including loss of whole finger	7	2,066	2,051
More than 1 phalanx, but not more than 2 phalanges	6	1,812	1,797
1 phalanx or part thereof	5	1,547	1,537
Guillotine amputation of tip without loss of bone	2	774	769
<b>B. TOES—</b> Great toe— through metatarso-phalangeal joint	14	3,878	3,848
part, with some loss of bone	3	1,028	1,023
1 other toe— through metatarso-phalangeal joint	3	1,028	1,023
part, with some loss of bone	1	519	514
2 toes, excluding great toe— through metatarso-phalangeal joint	5	1,547	1,537
part, with some loss of bone	2	774	769
3 toes, excluding great toe—	6	1,812	1,797

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Description of Injury	Assessments	Groups 1–9	Groups 10–15
through metatarso-phalangeal joint			
part, with some loss of bone	3	1,028	1,023
4 toes, excluding great toe–	9	2,585	2,565
through metatarso-phalangeal joint			
part, with some loss of bone	3	1,028	1,023

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	Estimated duration of the disablement within the degree referred to								
	Temporary less than a year			Temporary more than a year			Indeterminate		
	Per cent.			Per cent.			Per cent.		
	1–5	6–14	15–19	1–5	6–14	15–19	1–5	6–14	15–19
	£	£	£	£	£	£	£	£	£
1	224	499	870	447	993	1,739	1,342	2,983	5,219
3	222	494	863	443	984	1,723	1,330	2,956	5,172
4	220	490	855	439	975	1,707	1,318	2,929	5,125
5	218	487	849	437	969	1,697	1,310	2,911	5,093
6	217	484	844	434	963	1,686	1,302	2,893	5,062
7, 8	215	479	836	430	954	1,670	1,290	2,866	5,015
9	213	475	828	426	945	1,655	1,278	2,839	4,967
10	214	476	830	428	948	1,659	1,277	2,837	4,959
11	214	475	829	427	947	1,656	1,275	2,832	4,950
12	213	475	827	426	945	1,653	1,273	2,827	4,941

Group	Estimated duration of the disablement within the degree referred to								
	Temporary less than a year			Temporary more than a year			Indeterminate		
	Per cent.			Per cent.			Per cent.		
	1-5	6-14	15-19	1-5	6-14	15-19	1-5	6-14	15-19
13	213	474	826	426	943	1,650	1,271	2,822	4,933
14	212	473	824	425	942	1,647	1,268	2,817	4,924
15	212	472	823	424	940	1,644	1,266	2,812	4,915

## 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

Rate	Description of Allowance		Groups 1-9	Groups 10-15
1.	Education allowance under article 13		£120 per annum (maximum)	£120 per annum (maximum)
2.	Constant attendance allowance-		£3,201 per annum (maximum)	£61.40 per week (maximum)
	(a)	under article 14(1)(b)		
	(b)	(b) under article 14(1)(a)	£1,601 per annum (maximum)	£30.70 per week (maximum)
3.	Exceptionally severe disablement allowance under article 15		£1,601 per annum	£30.70 per week
4.	Severe occupational allowance under article 16	disablement	£800 per annum	£15.35 per week
5.	Allowance for wear and tear of clothing-		£66 per annum	£66 per annum
	(a)	under article 17(1)(a)		
	(b)	(b) under article 17(1)(b) and 17(2)	£104 per annum	£104 per annum
6.	Unemployability allowances-		£2,597 per annum	£49.80 per week
	(a)	personal allowance under article 18(1)(a)		

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Rate			
Description of Allowance	Groups 1–9	Groups 10–15	
(b) (b) additional allowances for dependants by way of–	£1,470 per annum (maximum)	£28.20 per week maximum)	
(i) increase of allowance in respect of a wife, husband or unmarried dependant living as a spouse, under article 18(5)(b)			
(ii) allowance in respect of an adult dependant under article 18(5)(c)	£1,470 per annum (maximum)	£28.20 per week (maximum)	
(iii) increase of allowance in respect of each child under article 18(5)(d)	£503 per annum	£9.65 per week	
7. Invalidity allowance under article 19–	£521 per annum	£10.00 per week	
(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			



Rate	Description of Allowance	Groups 1–9	Groups 10–15
	in respect of which payment of the allowance is to relate begins on or after 6th April 1979		
(b)	(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	£323 per annum	£6.20 per week
(c)	(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	£162 per annum	£3.10 per week
<b>8.</b>	Comforts allowance– (a) under article 20(1)(a)	£688 per annum	£13.20 per week
	(b) (b) under article 20(1)(b)	£344 per annum	£6.60 per week

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Rate		
Description of Allowance	Groups 1–9	Groups 10–15
<b>9.</b> Allowance for lowered standard of occupation under article 21–	£1,598 per annum (maximum)	£30.64 per week (maximum)
<b>10.</b> Age allowance under article 22 where the degree of pensioned disablement is–	£282 per annum	£5.40 per week
(a) 40 to 50 per cent.		
(b) (b) over 50 per cent., but not exceeding 70 per cent.	£435 per annum	£8.35 per week
(c) (c) over 70 per cent., but not exceeding 90 per cent.	£623 per annum	£11.95 per week
(d) (d) over 90 per cent.	£871 per annum	£16.70 per week
<b>11.</b> Treatment allowances – increase of personal allowances under article 23(3)	£871 per annum (maximum)	£16.70 per week (maximum)
<b>12.</b> Part-time treatment allowance under article 25	£32.35 per day (maximum)	£32.35 per day (maximum)
<b>13.</b> Mobility supplement under article 26A	£29.15 per week	£29.15 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

Group (1)	Rate (2)	Rate (3)
	£	£
1	3,178	3,178
2	3,178	3,178

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Group (1)	Rate (2)	Rate (3)
3	3,178	3,178
4	3,178	3,178
5	3,178	3,178
6	3,178	3,178
7	3,178	3,178
8	3,178	1,128
9	3,178	1,006
10	3,178	886
11	3,178	783

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

Group (1)	Rate (2)
	£
1	3,178
2	3,178
3	3,178
4	3,178
5	3,178
6	3,178
7	3,178
8	1,128
9	1,006
10	886
11	783

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## 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

Rate Description of Pension or Allowance	Groups 1–11	Groups 12–17
1. Pension under article 30 to unmarried dependant who lived as spouse	£3,071 per annum (maximum)	£58.90 per week (maximum)
2. Rent allowance under article 31	£23.20 per week (maximum)	£23.20 per week (maximum)
3. Allowance under article 32 to elderly widow or widower or unmarried dependant who lived as spouse–	£365 per annum	£7.00 per week
(a) if age 65 but under 70		
(b) (b) if age 70 but under 80	£704 per annum	£13.50 per week
(c) (c) if age 80 or over	£1,043 per annum	£20.00 per week
4. Pension to widower under article 34	£3,788 per annum (maximum)	£60.95 per week (maximum)
5. Allowances in respect of children–	£699 per annum	£13.40 per week
(a) under article 35(1) in respect of each child		
(b) (b) under article 35(3)	£766 per annum	£14.70 per week
6. Pension under article 36 to a motherless or fatherless child of a member	£766 per annum	£14.70 per week
7. Pension or allowance under article 37(3) to or in respect of a child over the age limit	£2,445 per annum (maximum)	£46.90 per week (maximum)
8. Education allowance under article 38	£120 per annum (maximum)	£120 per annum (maximum)
9. Pensions to parents–	£15 per annum	£0.25 per week

Rate		Groups 1–11	Groups 12–17
(a) minimum rate under article 40(3)			
(b) (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) Group 1–10 £100 per annum (maximum)  (ii) Group 11 £85 per annum (maximum)	£1.38 per week (maximum)
(c) (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) (d) under paragraph (d) of article 40(4)	—		£1.00 per week (maximum)
<b>10.</b> Pension to other dependants–		£54 per annum (maximum)	£1.00 per week (maximum)
(a) under article 41(2)			
(b) (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) (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)

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order 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.

Article 3(1) and (2) substitutes tables in the 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.

Article 4 adds to the definition of “public funds” a reference to moneys provided under the Local Government Finance Act 1988. £1.95 net