

## 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.

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SCHEDULE 8: Part III - continued

<i>Description of Pension or Allowance</i>	<i>Rate</i>	
	<i>Groups 1-11</i>	<i>Groups 12-17</i>
<b>9. Pensions to parents-</b>		
(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)	£1.00 per week (maximum)
	(ii) Group 11 £60 per annum (maximum)	
(ii) where there is more than one eligible parent	(i) Group 1-10 £100 per annum (maximum)	£1.38 per week (maximum)
	(ii) Group 11 £85 per annum (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)
<b>10. Pension to other dependants-</b>		
(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)	£0.30 per week (maximum)
	(ii) Group 11 £20 per annum (maximum)	
(c) aggregate rate under article 41(3)	(i) Groups 1-10 £75 per annum (maximum)	£1.00 per week (maximum)
	(ii) Group 11 £65 per annum (maximum)	

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	
4	
5	
6	
7	
8	1,128
9	1,006
10	886
11	783

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 or 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 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—		
(a) if age 65 but under 70	£365 per annum	£7.00 per week
(b) if age 70 but under 80	£704 per annum	£13.50 per week
(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—		
(a) under article 35(1) in respect of each child	£699 per annum	£13.40 per week
(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)

SCHEDULE 5: Part IV of Schedule 1 - continued

Description of Allowance	Rate	
	Groups 1-9	Groups 10-15
9. Allowance for lowered standard of occupation under article 21-	£1,598 per annum (maximum)	£30.64 per week (maximum)
10. Age allowance under article 22 where the degree of pensioned disablement is-		
(a) 40 to 50 per cent.	£282 per annum	£5.40 per week
(b) over 50 per cent., but not exceeding 70 per cent.	£435 per annum	£8.35 per week
(c) over 70 per cent., but not exceeding 90 per cent.	£623 per annum	£11.95 per week
(d) over 90 per cent.	£871 per annum	£16.70 per week
11. Treatment allowances - increase of personal allowances under article 23(3)	£871 per annum (maximum)	£16.70 per week (maximum)
12. Part-time treatment allowance under article 25	£32.35 per day (maximum)	£32.35 per day (maximum)
13. 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		
4		
5		
6		
7		
8		1,128
9		1,006
10		886
11		783

SCHEDULE 5: Part IV of Schedule 1 – continued

<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)	£2,597 per annum	£49.80 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)	£1,470 per annum (maximum)	£28.20 per week (maximum)
(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. Invalidation allowance under article 19—		
(a) if—		
(i) the relevant date fell before 5th July 1948; or	£521 per annum	£10.00 per week
(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		
(b) if—		
(i) on the relevant date the member was under the age of 45; or	£323 per annum	£6.20 per week
(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		
(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
8. Comforts allowance—		
(a) under article 20(1)(a)	£688 per annum	£13.20 per week
(b) under article 20(1)(b)	£344 per annum	£6.60 per week

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	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
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

<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 per annum (maximum)	£120 per annum (maximum)
2. Constant attendance allowance—		
(a) under article 14(1)(b)	£3,201 per annum (maximum)	£61.40 per week (maximum)
(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 disablement occupational allowance under article 16	£800 per annum	£15.35 per week
5. Allowance for wear and tear of clothing—		
(a) under article 17(1)(a)	£66 per annum	£66 per annum
(b) under article 17(1)(b) and 17(2)	£104 per annum	£104 per annum

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>
For the loss of:	Per cent.	£	£
<b>A. FINGERS-</b>			
Index Finger-			
More than 2 phalanges, including loss of whole finger	14	3,878	3,848
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-			
More than 2 phalanges, including loss of whole finger	12	3,359	3,334
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
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-			
through metatarso-phalangeal joint	6	1,812	1,797
part, with some loss of bone	3	1,028	1,023
4 toes, excluding great toe-			
through metatarso-phalangeal joint	9	2,585	2,565
part, with some loss of bone	3	1,028	1,023

## 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 OF SCHEDULE 2

<i>Degree of Disability</i>	<i>Yearly rate</i>
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

<i>Degree of Disability</i>	<i>Weekly rate</i>
Per cent.	£
100	76.60
90	68.94
80	61.28
70	53.62
60	45.96
50	38.30
40	30.64
30	22.98
20	15.32



**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(a); or”

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

**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</i>		
<i>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(a) 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(b).

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(a) 1977 c.5.

(b) 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.