
STATUTORY INSTRUMENTS

1991 No. 708

PENSIONS

The Personal Injuries (Civilians) Amendment Scheme 1991

<i>Made</i>	- - - -	<i>18th March 1991</i>
<i>Laid before Parliament</i>		<i>18th March 1991</i>
<i>Coming into force</i>	- -	<i>8th April 1991</i>

The Secretary of State for Social Security, with the approval of the Treasury, in exercise of the powers conferred by sections 1 and 2 of the Personal Injuries (Emergency Provisions) Act 1939⁽¹⁾ and now vested in him⁽²⁾ and of all other powers enabling him in that behalf, hereby makes the following Scheme:

Citation, commencement and interpretation

1.—(1) This Scheme may be cited as the Personal Injuries (Civilians) Amendment Scheme 1991 and shall come into force on 8th April 1991.

(2) In this Scheme, the expression “the principal Scheme” means the Personal Injuries (Civilians) Scheme 1983⁽³⁾.

Amendment of article 18 of the principal Scheme

2. In article 18 of the principal Scheme (unemployability allowances) in paragraph (2) for the amount “£1,820” there shall be substituted the amount “£2,028”.

Substitution of Schedules 3 and 4 to the principal Scheme

3. For Schedules 3 and 4 to the principal Scheme (rates of pensions and allowances payable in respect of disablement and death) there shall respectively be substituted the Schedules set out in the Schedule to this Scheme and numbered 3 and 4.

(1) 1939 c. 82.

(2) See Transfer of Functions (Ministry of Pensions) Order 1953 (S.I.1953/1198), article 2; Ministry of Social Security Act 1966 (c.20), section 2; Secretary of State for Social Services Order 1968 (S.I. 1968/1699), article 2.

(3) S.I. 1983/686, as amended by S.I. 1983/1164, 1540, 1984/1289, 1675, 1985/1313, 1986/628, 1987/191, 1988/367, 2260, 1989/415 and 1990/535, 1300.

Status: This is the original version (as it was originally made).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

Amendment to article 25A of the principal Scheme

4. For sub-paragraph (a) of paragraph (1) of article 25A(4) there shall be substituted the following sub-paragraph—

“(a) disablement as a result of the amputation of both legs, at levels which are either through or above the ankle; or”

Signed by authority of the Secretary of State for Social Security.

13th March 1991

Henley
Parliamentary Under-Secretary of State,
Department of Social Security

We approve,

18th March 1991

Thomas Sackville
Irvine Patnick
Two of the Lords Commissioners of Her
Majesty’s Treasury

SCHEDULE

Article 3

SCHEDULES TO BE SUBSTITUTED IN THE PRINCIPAL SCHEME

“SCHEDULE 3

Article 11

RATES OF PENSIONS AND ALLOWANCES PAYABLE IN RESPECT OF DISABLEMENT

Description of Pension or Allowance	Rate
1. Pension for 100 per cent. disablement under article 11.	£84.90 per week
2. Education allowance under article 13	£120.00*
3. Constant attendance allowance—	£68.00*
(a) under the proviso of article 14	
(b) in any other case under that article	£34.00*
4. Exceptionally severe disablement allowance under article 15	£34.00 per week
5. Severe disablement occupational allowance under article 16	£17.00 per week
6. Allowance for wear and tear of clothing—	£73.00 per annum
(a) under article 17(1)(a)	
(b) under article 17(1)(b) and (2)	£115.00 per annum
7. Unemployability allowances—	£55.25 per week
(a) personal allowance under article 18(1)(i)	
(b) additional allowances for dependants by way of—	£31.25*
(i) increase of allowance in respect of a wife or a dependant husband under article 18(5)(b)	
(ii) allowance in respect of an adult dependant under article 18(5)(c)	£31.25*
(iii) increase of allowance under Article 18(5)	£9.70 per week
(d)—	
(a) in respect of the only, elder or eldest child	
(b) in respect of each other child	£10.70 per week
(c) where the child does not qualify for child benefit under the Child Benefit Act 1975 or under any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£10.70 per week

* Maximum.

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Description of Pension or Allowance	Rate
<p>8. Invalidity allowance payable under article 19</p> <p>(a) if—</p> <p style="padding-left: 20px;">(i) the relevant date fell before 5th July 1948; or</p> <p style="padding-left: 20px;">(ii) on the relevant date the disabled person was under the age of 35; or</p> <p style="padding-left: 20px;">(iii) on the relevant date the disabled person was under the age of 40 and had not attained the age of 65, in the case of the disabled person being a man, or 60, in the case of that person 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</p> <p>(b) if—</p> <p style="padding-left: 20px;">(i) on the relevant date the disabled person was under the age of 45; or</p> <p style="padding-left: 20px;">(ii) on the relevant date the disabled person was under the age of 50 and had not attained the age of 65, in the case of the disabled person being a man, or 60, in the case of that person 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</p> <p>(c) if heads (a) and (b) do not apply and on the relevant date the disabled person was a man under the age of 60 or a woman under the age of 55</p>	<p>£11.10 per week</p> <p>£6.90 per week</p> <p>£3.45 per week</p>
<p>9. Comforts allowance—</p> <p>(a) under article 20(1)(a)</p> <p>(b) under article 20(1)(b) or 45(1)</p>	<p>£14.60 per week</p> <p>£7.30 per week</p>
<p>10. Allowance for lowered standard of occupation under article 21</p>	<p>£33.96*</p>
<p>11. Age allowance under Article 22 where the degree of pensionable disablement is—</p>	<p>£6.00 per week</p>

* Maximum.

Description of Pension or Allowance	Rate
(a) 40 or 50 per cent.	
(b) 60 or 70 per cent.	£9.25 per week
(c) 80 or 90 per cent.	£13.25 per week
(d) 100 percent.	£18.50 per week
12. Treatment allowances—increase of personal allowance under article 23(2)	£18.50*
13. Part-time treatment allowance under article 25	£35.30 per day*
14. Mobility supplement under article 25A	£32.35 per week

* Maximum.

SCHEDULE 4

Article 27

RATES OF PENSION AND ALLOWANCES PAYABLE IN RESPECT OF DEATH

Description of Pension or Allowance	Rate
1. Pension to widow—	£67.60 per week
(a) under article 27(1)	
(b) under article 27(2)	£15.60 per week
2. Rent allowance under article 28	£25.75*
3. Allowance under article 29 or 50 to an elderly surviving spouse—	£7.75 per week
(a) if aged 65 but under age 70	
(b) if aged 70 but under age 80	£14.95 per week
(c) if age 80 or over	£22.20 per week
4. Pension under article 30 to unmarried dependant who lived as spouse	£1.00*
5. Pension to dependent widower under article 32	£67.60*
6. Allowance under article 33 in respect of each child under the age of 15—	£13.65 per week
(i) in respect of the only, elder, or eldest child	
(ii) in respect of each other child	£14.65 per week
(iii) where the child does not qualify for child benefit under the Child Benefit Act 1975 or under any legislation in Northern	£14.65 per week

* Maximum.

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Description of Pension or Allowance	Rate
Ireland or the Isle of Man corresponding to that Act	
7. Pension under article 34(1) to a motherless or fatherless child under the age of 15—	£15.10 per week
(i) in respect of the only, elder, or eldest child	
(ii) in respect of each other child	£16.10 per week
(iii) where the child does not qualify for child benefit under the Child Benefit Act 1975 or under any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£16.10 per week
8. Pension or allowance under article 35(3) to or in respect of a child over the age of 15—	£52.00*
(a) where the child has attained the age of 18 and is incapable of self-support by reasons of an infirmity which arose before he attained the age of 15	
(b) any other case	£15.10*
(i) in respect of the only, elder or eldest child	
(ii) in respect of each other child	£16.10*
(iii) where the child does not qualify for child benefit under the Child Benefit Act 1975 or under any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£16.10*
9. Education allowance under article 36	£120.00*
10. Pensions to parents—	£0.25 per week
(a) minimum rate under article 38(4)	
(b) maximum rate under article 38(4)	£1.00 per week
(i) where there is only one eligible parent	
(ii) where there is more than one eligible parent	£1.38 per week
(c) increase under the proviso to article 38(4)—	£0.38*
(i) where there is only one eligible parent	

* Maximum.

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Description of Pension or Allowance	Rate
(ii) where there is more than one eligible parent	£0.62*
11. Pensions to other dependants—	£0.30*
(a) for each juvenile dependant under article 39(4)	
(b) aggregate rate under article 39(4)	£1.00*
(c) under article 39(5)	£1.00*

* Maximum.

EXPLANATORY NOTE

(This note is not part of the Scheme)

This Scheme further amends the Personal Injuries (Civilians) Scheme 1983 (“the principal Scheme”) which makes provision for the payment of pensions and allowances to or in respect of civilians who were killed or injured in the 1939-45 war.

This Scheme 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 Scheme, and varies the rates of pensions and allowances in respect of disablement and death in the 1939-45 war (articles 2 and 3 and the Schedule).

This Scheme extends the provisions in article 25A of the principal Scheme (mobility supplement) so as to enable a person receiving a pension under that Scheme because of a disablement to receive also a mobility supplement where he has suffered an amputation of both legs at levels which are either through or above the ankle (article 4).