
STATUTORY INSTRUMENTS

2000 No. 252

PENSIONS

The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Amendment Order 2000

Made - - - - 8th February 2000
Laid before Parliament 16th February 2000
Coming into force - - 10th April 2000

At the Court at Buckingham Palace, the 8th day of February 2000

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(1) by Order in Council in pursuance of section 12(1) of the Social Security (Miscellaneous Provisions) Act 1977(2):

NOW, THEREFORE, Her Majesty, in exercise of the powers conferred by section 3 of the Naval and Marine Pay and Pensions Act 1865(3), section 2(1) of the Pensions and Yeomanry Pay Act 1884(4), section 2(1) of the Air Force (Constitution) Act 1917(5), and sections 12(1) and 24(3) of the said Act of 1977 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 may be cited as the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Amendment Order 2000 and shall come into force on 10th April 2000.

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

(1) S.I.1983/883, as amended by S.I. 1983/1116, 1521, 1984/1154, 1687, 1985/1201, 1986/592, 1987/165, 1988/248, 2248, 1989/156, 1990/250, 1308, 1991/766, 1992/710, 3208, 1993/598, 1994/772, 1906, 1995/766, 1996/732, 1638, 2882, 1997/286, 1998/262 and 1999/294.

(2) 1977 c. 5.

(3) 28 & 29 Vict c. 73.

(4) 47 & 48 Vict c. 55.

(5) 7 & 8 Geo 5 c. 51.

Amendment of article 18 of the principal Order

2. In article 18 of the principal Order (unemployability allowances) in paragraph (2) for the amount “£3,016” there shall be substituted the amount “ £3,042”.

Amendment of article 29 of the principal Order

3. In article 29 of the principal Order (pensions to widows) in paragraph (1A) for the amount “£56.45” there shall be substituted the amount “ £57.07”.

Amendment of Schedules to the principal Order

4.—(1) In Schedule 1 to the principal Order (rates of retired pay, pensions, gratuities and allowances in respect of disablement)–

- (a) for the Table in Part II there shall be substituted the Table set out in Schedule 1 to this Order;
- (b) for Tables 1 and 2 of Part III there shall respectively be substituted the Tables set out in Schedules 2 and 3 to this Order; and
- (c) for Part IV there shall be substituted the Part set out in Schedule 4 to this Order.

(2) In Schedule 2 (rates of pensions and allowances in respect of death)–

- (a) for Tables 1, 2, 3, 4 and 5 of Part II there shall be substituted the Tables set out in Schedule 5 to this Order; and
- (b) for Part III there shall be substituted the Part set out in Schedule 6 to this Order.

A. K. Galloway
Clerk of the Privy Council

SCHEDULE 1

Article 4(1)(a)

**TABLE TO BE SUBSTITUTED FOR THE
TABLE SET OUT IN PART II OF SCHEDULE 1**

Article 10

TABLE

1. WEEKLY RATES OF PENSIONS FOR DISABLED MEMBERS OF THE ARMED FORCES IN GROUPS 10–15 OF PART I OF THIS SCHEDULE.

2. YEARLY RATES OF RETIRED PAY AND PENSIONS FOR DISABLED MEMBERS OF THE ARMED FORCES IN GROUPS 1–9 OF PART I OF THIS SCHEDULE.

<i>Degree of Disability Per cent.</i>	<i>Weekly rate £</i>	<i>Yearly rate £</i>
100	116.00	6,053
90	104.40	5,448
80	92.80	4,842
70	81.20	4,237
60	69.60	3,632
50	58.00	3,027
40	46.40	2,421
30	34.80	1,816
20	23.20	1,211

SCHEDULE 2

Article 4(1)(b)

TABLE TO BE SUBSTITUTED FOR TABLE 1 OF PART III OF SCHEDULE 1
Article 11(1)

TABLE 1

GRATUITIES PAYABLE FOR SPECIFIED MINOR INJURIES

<i>Description of Injury For the loss of:</i>	<i>Assessments Per cent.</i>	<i>Groups 1–15 £</i>
A. FINGERS—		
Index Finger—		
More than 2 Phalanges including loss of whole finger	14	5,513

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<i>Description of Injury For the loss of:</i>	<i>Assessments Per cent.</i>	<i>Groups 1–15 £</i>
More than 1 phalanx but not more than 2 phalanges	11	4,412
1 phalanx or part thereof	9	3,675
Guillotine amputation of tip without loss of bone	5	2,200
Middle Finger–		
More than 2 Phalanges including loss of whole finger	12	4,775
More than 1 phalanx but not more than 2 phalanges	9	3,675
1 phalanx or part thereof	7	2,938
Guillotine amputation of tip without loss of bone	4	1,837
Ring or little finger–		
More than 2 Phalanges including loss of whole finger	7	2,938
More than 1 phalanx but not more than 2 phalanges	6	2,575
1 phalanx or part thereof	5	2,200
Guillotine amputation of tip without loss of bone	2	1,101
B. TOES–		
Great toe–		
through metatarso-phalangeal joint	14	5,513
part, with some loss of bone	3	1,464
1 other toe–		
through metatarso-phalangeal joint	3	1,464
part, with some loss of bone	1	738
2 toes, excluding great toe–		
through metatarso-phalangeal joint	5	2,200

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<i>Description of Injury</i> <i>For the loss of:</i>	<i>Assessments</i> <i>Per cent.</i>	<i>Groups 1–15</i> <i>£</i>
part, with some loss of bone	2	1,101
3 toes, excluding great toe—		
through metatarso–phalangeal joint	6	2,575
part, with some loss of bone	3	1,464
4 toes, excluding great toe—		
through metatarso–phalangeal joint	9	3,675
part, with some loss of bone	3	1,464

SCHEDULE 3

Article 4(1)(b)

TABLE TO BE SUBSTITUTED FOR TABLE 2 OF PART III OF SCHEDULE 1
Article 11(2)

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**

Groups 1–15	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
£	£	£	£	£	£	£	£	£	
	306	684	1,197	615	1,364	2,388	1,844	4,097	7,169

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SCHEDULE 4

Article 4(1)(c)

PART TO BE SUBSTITUTED FOR PART IV OF SCHEDULE 1

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**	£120 per annum**
2. Constant attendance allowance	£4,571 per annum**	£87.60 per week**
(a) under article 14(1)(b)		
(b) (b) under article 14(1)(a)	£2,285 per annum**	£43.80 per week**
3. Exceptionally severe disablement allowance under article 15	£2,285 per annum	£43.80 per week
4. Severe disablement occupational allowance under article 16	£1,143 per annum	£21.90 per week
5. Allowance for wear and tear of clothing under article 17(1)	£149 per annum	£149 per annum
6. Unemployability allowances—	£3,739 per annum	£71.65 per week
(a) personal allowance under article 18(1)(a)		
(b) (b) additional allowances for dependants by way of—	£2,108 per annum**	£40.40 per week**
(i) increase of allowance in respect of a wife, husband or unmarried dependant living as a spouse or an adult dependant		

* maximum

<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1–9</i>	<i>Groups 10–15</i>
under article 18(5)(b)		
(ii) increase of allowance under article 18(5)(d)–	£514 per annum	£9.85 per week
(a) in respect of the only, elder or the eldest child of a member		
(b) in respect of each other child of a member	£592 per annum	£11.35 per week
(c) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992(6), or under any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£592 per annum	£11.35 per week
7. Invalidation allowance under article 19	£741 per annum	£14.20 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		
* maximum		

(6) 1992 c. 4.

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<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1–9</i>	<i>Groups 10–15</i>
<p>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</p> <p>(b) (b) if–</p> <p>(i) on the relevant date the member was under the age of 45; or</p> <p>(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</p> <p>(c) (c) if heads (a) and (b) do not apply and on the relevant date the member was a man under the age</p>	<p>£470 per annum</p>	<p>£9.00 per week</p> <p>£4.50 per week</p>
<p>* maximum</p>		

<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1–9</i>	<i>Groups 10–15</i>
of 60 or a woman under the age of 55		
8. Comforts allowance—	£981 per annum	£18.80 per week
(a) under article 20(1)(a)		
(b) (b) under article 20(1)(b)	£490 per annum	£9.40 per week
9. Allowance for lowered standard of occupation under article 21	£2,281 per annum**	£43.72 per week**
10. Age allowance under article 22 where the degree of pensioned disablement is—	£404 per annum	£7.75 per week
(a) 40 to 50 per cent.		
(b) (b) over 50 per cent, but not exceeding 70 per cent.	£624 per annum	£11.95 per week
(c) (c) over 70 per cent, but not exceeding 90 per cent.	£887 per annum	£17.00 per week
(d) (d) over 90 per cent.	£1,247 per annum	£23.90 per week
11. Treatment allowances— increase of personal allowances under article 23(3)	£1,247 per annum**	£23.90 per week**
12. Part-time treatment allowance under article 25	£53.15 per day**	£53.15 per day**
13. Mobility supplement under article 26A	£2,176 per annum	£41.70 per week

* maximum

SCHEDULE 5

Article 4(2)(a)

TABLES TO BE SUBSTITUTED FOR TABLES 1, 2, 3, 4 AND 5 OF PART II OF SCHEDULE 2**PART II****RATES OF PENSIONS AND ALLOWANCES**

Article 29(1)(a)

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TABLE I

YEARLY RATES OF PENSIONS FOR WIDOWS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES BEFORE 14TH AUGUST 1914 OR AFTER 30TH SEPTEMBER 1921
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>Yearly rate</i> £
1	5,296
2	5,107
3	4,987
4	4,880
5	4,805
6	4,736
7	4,712
8	4,676
9	4,658
10	4,640
11	4,611

Article 29(1)(a)

TABLE 2

WEEKLY RATES OF PENSIONS FOR WIDOWS OF RATINGS, SOLDIERS OR AIRMEN

<i>Group</i> (1)	<i>Weekly Rate</i> (2) £
12	87.85
13	
14	
15	
16	

<i>Group</i> <i>(1)</i>	<i>Weekly Rate</i> <i>(2)</i> £
17	87.55

Article 29(1)(a)

TABLE 3

YEARLY RATES OF PENSIONS FOR WIDOWS OF OFFICERS
WHO WERE MEMBERS OF THE FORCES BETWEEN
14TH AUGUST 1914 AND 30TH SEPTEMBER 1921

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>(1)</i>	<i>Yearly rate</i> <i>(2)</i> £
1	5,415
2	5,177
3	5,057
4	4,938
5	4,844
6	4,747
7	4,720
8	4,676
9	4,658
10	4,640
11	4,611

Article 29(1)(b)

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TABLE 4
YEARLY RATES OF PENSIONS FOR WIDOWS OF OFFICERS
WHO WERE MEMBERS OF THE FORCES BEFORE
14TH AUGUST 1914 OR AFTER 30TH SEPTEMBER 1921

<i>Group</i> <i>(1)</i>	<i>Yearly rate</i> <i>(2)</i> £
1	5,296
2	5,107
3	4,987
4	4,880
5	4,805
6	4,736
7	4,712
8	1,623
9	1,448
10	1,274
11	1,127

Article 29(1)(b)

TABLE 5
WEEKLY RATES OF PENSION FOR CHILDLESS WIDOWS AGED
UNDER 40 BEING WIDOWS OF RATINGS, SOLDIERS OR AIRMEN

<i>Group</i> <i>(1)</i>	<i>Weekly rate</i> <i>(2)</i> £
12	20.55
13	
14	
15	
16	
17	20.25

SCHEDULE 6

Article 4(2)(b)

PART TO BE SUBSTITUTED FOR PART III OF SCHEDULE 2**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 Groups 1–11</i>	<i>Groups 12–17</i>
1. Pension under article 30 to unmarried dependant who lived as a spouse	£4,461 per annum**	£85.50 per week*
2. Rent allowance under article 31	£1,727 per annum**	£33.10 per week*
3. Allowance under article 32 to elderly widow or widower or unmarried dependant who lived as a spouse—	£522 per annum	£10.00 per week
(a) if aged 65 but under 70		
(b) (b) if aged 70 but under 80	£1,002 per annum	£19.20 per week
(c) (c) if aged 80 or over	£1,492 per annum	£28.60 per week
4. Pension to widower under article 34	£5,415 per annum**	£87.85 per week*
5. Allowances in respect of children—	£749 per annum	£14.35 per week
(a) under article 35(1)—		
(i) in respect of the only, elder or eldest child of a member		
(ii) in respect of each other child of a member	£827 per annum	£15.85 per week
(iii) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992 or any legislation in Northern	£827 per annum	£15.85 per annum

* maximum

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<i>Description of Pension or Allowance</i>	<i>Rate Groups 1–11</i>	<i>Groups 12–17</i>
Ireland or the Isle of Man corresponding to that Act		
(b) (b) under article 35(3)–	£845 per annum	£16.20 per week
(i) in respect of the only, elder or eldest child of a member		
(ii) in respect of each other child of a member	£924 per annum	£17.70 per week
(iii) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992 or under any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£924 per annum	£17.70 per week
6. Pension under article 36 to a motherless or fatherless child of a member–	£845 per annum	£16.20 per week
(a) in respect of the only, elder or eldest child of a member		
(b) (b) in respect of each other child of a member	£924 per annum	£17.70 per week
(c) (c) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992 or under any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£924 per annum	£17.70 per week
7. Pension or allowance under article 37(3) to or in respect of a child over the age limit	£3,522 per annum**	£67.50 per week**
* maximum		

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

* maximum

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<i>Description of Pension or Allowance</i>	<i>Rate</i>	
	<i>Groups 1–11</i>	<i>Groups 12–17</i>
(c) (c) aggregate rate under article 41(3)	(i) Groups 1–10 £75 per annum**	£1.00 per week**
	(ii) Group 11 £65 per annum**	
* maximum		

EXPLANATORY NOTE

(This note is not part of the Order)

This Order 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.

Article 2 increases the maximum amount of annual earnings which may be received by a disabled person whilst he is deemed to be unemployable for the purposes of unemployability allowances under article 18 of the principal Order.

Article 3 increases the amount of a widow’s pension payable under article 29 of the principal Order.

Article 4(1) and (2) substitute tables in Schedules 1 and 2 to 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.

This Order does not impose any costs on business.