

1990 No. 1308

PENSIONS

The Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Amendment (No. 2) Order 1990

<i>Made - - - -</i>	<i>26th June 1990</i>
<i>Laid before Parliament</i>	<i>4th July 1990</i>
<i>Coming into force</i>	<i>25th July 1990</i>

At the Court of Saint James, the 26th day of June 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 15th day of June 1990 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:

AND 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, His Royal Highness The Prince Charles, Prince of Wales and His Royal Highness The Prince Edward being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by sections 12(1) and 24(3) of the said Act of 1977 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 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 (No.2) Order 1990, shall come into force on 25th July 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.

(a) S.I. 1983/883; relevant amending instruments are S.I. 1983/1116, 1521 and 1986/592..

(b) 1977 c.5. Section 24(3) applies section 166(4) of the Social Security Act 1975 (c.14).

Amendment of article 26A of the principal Order

2.—(1) Article 26A of the principal Order (mobility supplement) shall be amended in accordance with the following provisions of this article.

(2) After sub-paragraph (c) of paragraph (1) there shall be added the following sub-paragraph:

“(d) disablement as a result of his being both blind and deaf where by reason of the effects of those conditions in combination with each other he is unable, without the assistance of another person, to walk to any intended or required destination while out of doors.”.

(3) After paragraph (2) there shall be inserted the following paragraph:

“(2A) For the purposes of paragraph (1)(d) a person is –

- (a) blind only where the assessed degree of disablement resulting from loss of vision has been certified in accordance with article 9 as amounting to more than 80 per cent;
- (b) deaf only where the assessed degree of disablement resulting from loss of hearing has been certified in accordance with article 9 as amounting to not less than 80 per cent.”.

G.I. de Doney
Clerk of the Privy Council.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends the provisions relating to mobility supplement in article 26A of the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983 (S.I. 1983/883) (“the principal Order”), inserted by the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Amendment Order 1983 (S.I.1983/1116). It enables a person who is receiving a pension under the principal Order because of disablement arising from being both blind and deaf, to qualify for mobility supplement where by reason of the combined effects of being blind and deaf he is unable without the assistance of another person to walk to an intended or required destination while out of doors.

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