
STATUTORY INSTRUMENTS

1964 No. 1985

The War Pensions (Naval Auxiliary Personnel) Scheme 1964

Revocation of previous Scheme and transitional provisions

16.—(1) Subject to the provisions of this Article, the War Pensions (Naval Auxiliary Personnel) Scheme 1949⁽¹⁾ is hereby revoked.

(2) Any thing made or done under or in pursuance of any provision herein-before revoked shall be deemed to have been made or done under or in pursuance of the corresponding provision of this Scheme, and anything begun under any provision so revoked may be continued under this Scheme as if begun under this Scheme.

- (a) (3) (a) Where, immediately before the coming into operation of this Scheme, an allowance granted under Article 12(4) of the Naval Order of 4th June 1946⁽²⁾, as applied by the War Pensions (Naval Auxiliary Personnel) Scheme 1946⁽³⁾ as amended by the War Pensions (Naval Auxiliary Personnel) (Amendment) Scheme 1948 ⁽⁴⁾ in respect of an unmarried dependant living as a wife of a naval auxiliary member was being paid, that allowance may be continued until the conditions for the grant of an allowance under the said Article cease to be fulfilled;
- (b) where an allowance has been continued by virtue of subparagraph (a) of this paragraph until the death of the naval auxiliary member, an award may be made under Article 28 of the Naval Order of 4th June 1946, as applied by the War Pensions (Naval Auxiliary Personnel) Scheme 1946, as amended by the War Pensions (Naval Auxiliary Personnel) (Amendment) Scheme 1948 , if and for so long as the conditions for an award under that Article are fulfilled;
- (c) an award may be continued under Article 28(4) of the Naval Order of 4th June 1946, as applied by the War Pensions (Naval Auxiliary Personnel) Scheme 1946, as amended by the War Pensions (Naval Auxiliary Personnel) (Amendment) Scheme 1948, to an unmarried dependant living as a wife if, immediately before the coming into operation of this Scheme, she was in receipt of a pension under Article 28(2) or 28(3) of the said Naval Order as so applied and, on the expiration of the period of 12 months beginning with the date of the member's death, or at the date when she ceases to have in her charge a child of the member and to receive an allowance in respect of that child under the provisions of the Naval Order as applied by this scheme, as the case may be, she is in pecuniary need and incapable of self-support.

(4) Any relevant provision of this Scheme or of the Naval Order as applied by this Scheme shall, as from the commencing date of this Scheme, apply to any case where the disablement or death of a naval auxiliary member was directly attributable to a qualifying injury sustained or detention suffered on or after 3rd September 1939, but before the commencing date, whether an award has been made under any previous Scheme or not.

(1) (1949 I, p. 3257).
(2) S.R. & O. 1946/812(1946 I, p. 1100).
(3) (1946 I, p. 1298).
(4) (1948 I, p. 3356).

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(5) In this Article, the expression “unmarried dependant living as a wife” has the same meaning as in the Naval Order as applied by this Scheme .