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STATUTORY INSTRUMENTS

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**1964 No. 1985**

**The War Pensions (Naval Auxiliary Personnel) Scheme 1964**

**Prevention of double payments**

**9.** Where the Minister is satisfied that a payment (not being a payment in respect of the cost of a funeral) has been or will be made in respect of an injury (whether resulting in disablement or death)—

- (a) under section 1 of the Superannuation Act 1887, as amended by section 11 of the Superannuation Act 1935, or by section 9 of the Superannuation Act (Northern Ireland) 1935; or
- (b) under or by virtue of section 41 or 56 of the Superannuation Act 1949; or
- (c) under any Order in Council relating to pensions for officers of the Royal Fleet Auxiliaries;

no award of a pension, allowance or gratuity on account of any disablement or death which is directly attributable to that injury shall be made under the Naval Order as applied by this Scheme and any such award which has been made shall be cancelled:

Provided that, where the Minister is satisfied that, in respect of any period, the aggregate annual value of the payments which are being or will be made under or by virtue of the said section 1, section 41 or section 56 falls short of the aggregate annual value of the payments which, but for the foregoing provisions of this Article, would have been made in respect of that period under this Scheme or under the Naval Order as applied by this Scheme, the Minister may make such awards under this Scheme or under the Naval Order as applied by this Scheme as he may consider appropriate in order to make good the deficiency.