
STATUTORY INSTRUMENTS

1983 No. 686

The Personal Injuries (Civilians) Scheme 1983

PART IV

**AWARDS IN RESPECT OF THE DEATH OF GAINFULLY
OCCUPIED PERSONS AND CIVIL DEFENCE VOLUNTEERS**

Rent allowance to widows who have children

28.—(1) Where a widow is in receipt of a pension under Article 27 and the household of the widow includes a child, the widow may be awarded an allowance in accordance with the following provisions of this Article at such rate, not exceeding the rate specified in Schedule 4, paragraph 2, as the Secretary of State may consider appropriate having regard to her weekly rent and rates.

(2) Where, but for this provision, an allowance under this article would cease by reason of the household ceasing to include a child, the allowance may be continued for the period of 26 weeks from the date on which the household so ceases to include that child, notwithstanding that the widow is no longer in receipt of a pension under the said Article 27 for the whole or any part of that period unless that pension has ceased by virtue of the provisions of Article 71 hereof.

(3) In this Article—

- (a) “child” means a child who has not attained the age of 15 or who, having attained that age, is a student or an apprentice or is incapable of self-support by reason of an infirmity which arose before he attained that age and who is—
 - (i) a dependent child of the widow's deceased husband; or
 - (ii) a child who should, in the opinion of the Secretary of State, having regard to the child's relationship to or connection with the widow's deceased husband and the other circumstances of the case, be treated as included in this sub-paragraph;
- (b) “weekly rent and rates” means such sum as the Secretary of State may, after taking into account all relevant factors and making all necessary apportionments, consider to be the weekly amount in respect of rent, or the equivalent thereof, and rates which the widow is paying or providing either directly or indirectly for accommodation for the benefit of herself and the child;
- (c) “accommodation” means living accommodation without any service or benefit not ordinarily provided by the landlord to the tenant of an unfurnished dwelling house, but may, if the Secretary of State thinks fit, include accommodation reasonably required for the storage of furniture.