
EXPLANATORY NOTE

This Scheme further amends the Personal Injuries (Civilians) Scheme 1983 (“the principal Scheme”) which makes provision for the payment of pensions and allowances to or in respect of civilians who were killed or injured in the 1939–45 War.

The Scheme amends the definition of “dependent child” in Article 2 of the principal Scheme so as to remove the requirement that foster children and certain illegitimate children should be maintained by, or dependent on, the injured person for a period determined by reference to the date of his injury (Article 2(a)).

The principal Scheme is also extensively amended so that male dependants of an injured person are made eligible for certain awards on the same conditions as female dependants. In particular husbands become eligible for dependency allowances under Articles 12 and 23 of the principal Scheme, widows' rent and age allowances are extended to widowers, and a man who lived with the injured person as her husband although not married to her, becomes eligible for a pension on the same conditions as a woman in the equivalent situation. The provisions governing age allowances are also amended to add an additional rate of allowance for those widows and widowers who are aged 80 or over.

This Scheme amends the principal Scheme to provide for the payment of medical expenses where an injured person requires treatment (Articles 6 and 11), and eligibility for a mobility supplement is extended to injured persons who were not gainfully occupied when they sustained their injury (Article 11).

Article 75 of the principal Scheme is also amended to insert a provision identifying the day of the week from which changes in the rate of weekly pension made by this or any further amending Scheme are to have effect (Article 15).

The provisions of the principal Scheme governing the circumstances in which a decision accepting a claim may be revised on review are amended to enable such a decision to be revised to the detriment of the injured person where it has been certified that the nature of the disablement had been incorrectly diagnosed (Article 16).

This Scheme also raises the maximum amount of annual earnings which may be received by a disabled person while he is deemed to be unemployable for the purposes of unemployability allowances under Article 18 of the principal Scheme, and varies the rates of pensions and allowances in respect of disablement and death in the 1939–45 War (Articles 4(a) and 17, and Schedule). In addition, the substituted Schedule 4 to the principal Scheme contains the new rate of allowance for widows and widowers aged 80 or over.