
STATUTORY INSTRUMENTS

1988 No. 367

The Personal Injuries (Civilians) Amendment Scheme 1988

Citation, commencement and interpretation

1.—(1) This Scheme may be cited as the Personal Injuries (Civilians) Amendment Scheme 1988 and shall come into force on 11th April 1988.

(2) In this Scheme the expression “the principal Scheme” means the Personal Injuries (Civilians) Scheme 1983(1).

Amendment of Article 18 of the principal Scheme

2. In Article 18 of the principal Scheme (unemployability allowances) in paragraph (2) for the amount “£1,352” there shall be substituted the amount “£1,404”.

Substitution of Schedules 3 and 4 to the principal Scheme

3. For Schedules 3 and 4 to the principal Scheme (rates of pensions and allowances payable in respect of disablement and death) there shall respectively be substituted the Schedules set out in the Schedule hereto and numbered 3 and 4.

Amendment of Article 66 of the principal Scheme

4. For paragraph (2) of Article 66 of the principal Scheme (payment of public claims out of pensions), there shall be substituted the following paragraph:

“(2) Where payment in respect of a pension is in arrears for any period and any one or more of the following, that is to say —

- (a) benefit under the Supplementary Benefits Act 1976(2), or
- (b) income support under the Social Security Act 1986(3) or under the Income Support (Transitional) Regulations 1987(4), or
- (c) any amount payable under any legislation having effect in Northern Ireland or the Isle of Man which corresponds to benefit under the 1976 Act or, as the case may be, income support under the 1986 Act, or the Income Support (Transitional) Regulations 1987,

has been paid for that period to the person to whom the payment is due, the amount by which the amount of benefit or income support paid (including any corresponding amount mentioned in sub-paragraph (c)), or both if both have been paid, exceeds what would have been paid had the said payment not fallen into arrears shall be deemed to have been an overpayment for the purposes of paragraph (1) of this Article, and in the case where benefit or income support or both has been paid under legislation in force in Northern Ireland or

(1) S.I.1983/686, as amended by S.I. 1983/1164, 1540, 1984/1289, 1675, 1985/1313, 1986/628 and 1987/191.
(2) 1976 c. 71, as amended by the Social Security Act 1980 (c. 30).
(3) 1986 c. 50.
(4) S.I. 1987/1969.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

the Isle of Man it shall for the purpose of that paragraph be repayable to the authority administering the benefit or as the case may be income support.”

Signed by authority of the Secretary of State for Social Services

24th February 1988

Skelmersdale
Parliamentary Under-Secretary of State,
Department of Health and Social Security

We approve,

1st March 1988

Mark Lennox-Boyd
Michael Neubert
Two of the Lords Commissioners of Her
Majesty’s Treasury