
STATUTORY INSTRUMENTS

1995 No. 766

The Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Amendment Order 1995

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Amendment Order 1995 and shall come into force on 10th April 1995.

(2) In this Order, “the principal Order” means the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983.

Amendment of article 18 of the principal Order

2. In article 18 of the principal Order (unemployability allowances) in paragraph (2) for the amount “£2,236” there shall be substituted the amount “£2,288”.

Amendment of article 26A of the principal Order

3. At the end of head (iii) of sub-paragraph (1)(c) of article 26A of the principal Order (mobility supplement)(1) there shall be added the word “, or” followed by the following head—

“(iv) has been in receipt of the mobility component of a disability living allowance under section 73 of either the Social Security Contributions and Benefits Act 1992(2) or the Social Security Contributions and Benefits (Northern Ireland) Act 1992(3) having been deemed, by virtue of section 74(1) of the relevant Act, to be suffering from such disablement as is mentioned in subsection (1)(a) of section 73 of the relevant Act and to satisfy the requirements of subsection (9) of that section.”.

Amendment of article 29 of the principal Order

4. Article 29 of the principal Order (pensions to widows)(4) shall be amended as follows—

- (a) in paragraph (1A) for the amount “£48.70” there shall be substituted the amount “£49.77”;
- (b) paragraph (2) shall be omitted.

Amendment of article 67A of the principal Order

5. In paragraph (1) of article 67A of the principal Order (suspension in individual cases—Pensions Appeal Tribunal)(5) for the words “determination of that question on appeal” there shall be substituted the words “determination of the appeal”.

(1) Article 26A was added by article 4 of S.I.1983/1116: there are amendments which are not relevant for the purposes of this instrument.
(2) 1992 c. 4.
(3) 1992 c. 6.
(4) Paragraph (1A) was added to article 29 by S.I. 1994/1906.
(5) Articles 67A and 67B were inserted by S.I. 1994/772.

Amendment of article 67B of the principal Order

6. In article 67B(1) of the principal Order (suspension in individual cases— courts) for the words “determination of that question on appeal” there shall be substituted the words “determination of the appeal”.

Amendment of Schedules to the principal Order

7.—(1) In Schedule 1 to the principal Order (rates of retired pay, pensions, gratuities and allowances)—

- (a) for the Table in Part II there shall be substituted the Table set out in Schedule 1 to this Order;
- (b) for Tables 1 and 2 of Part III there shall respectively be substituted the Tables set out in Schedules 2 and 3 to this Order; and
- (c) for Part IV there shall be substituted the Part set out in Schedule 4 to this Order.

(2) In Schedule 2 to the principal Order (rates of pensions and allowances in respect of death)—

- (a) for Tables 1, 2, 3, 4 and 5 of Part II there shall be substituted the Tables set out in Schedule 5 to this Order;
- (b) for Part III there shall be substituted the Part set out in Schedule 6 to this Order.

N. H. Nicholls
Clerk of the Privy Council