

## SCHEDULE 1

### AMENDMENTS TO THE PRINCIPAL SCHEME

#### *Amendment of Schedule 5*

**18.** In paragraph 1 of Schedule 5 (commencing dates of awards of pension)—

- (a) omit sub-paragraphs (2)(c) and (4)(c);
- (b) in sub-paragraph (4)(ii) omit “of issue”, for “claim, review” substitute “claim or review” and omit from “or, as appropriate” to the end;
- (c) in sub-paragraph (6) before “Where” insert “Subject to sub-paragraph (7)”; and
- (d) after sub-paragraph (6) insert—

“(7) Where an award is reviewed as a result of a decision (“the original decision”) which arose from an official error, the reviewed decision shall take effect from the effective date of the original decision and for this purpose “official error” means an error made by the Secretary of State, or any officer of his carrying out functions in connection with war pensions, defence or foreign and commonwealth affairs, to which no other person materially contributed including reliance on erroneous medical advice but excluding any error of law which is only shown to have been an error by virtue of a subsequent decision of a court.”.