

*Definition of the Term "Pay."*

For the purposes of this Scheme pay shall be computed as follows:—

1. In the case of officers and men serving in cable ships chartered or hired by the Postmaster-General, whether with or without demise to the Crown, pay shall be deemed to be the pay (including an appropriate allowance when pay does not include victualling) of the present rank ruling in the ship or in ships of corresponding size and character at a date six calendar months prior to the commencement of the present War.

2. In all other cases pay shall be computed in such manner as is best calculated to give the rate at which the person was being remunerated during the year preceding 3rd August 1914, provided that, when it is impracticable to compute pay in such manner, pay shall be taken to be such amount as the Postmaster-General may determine having regard to the amount of the earnings of persons employed under similar conditions during the same year.

**LIMITATION OF BENEFITS IN THE CASE OF PERSONS ENTITLED TO DAMAGES OR COMPENSATION AT COMMON LAW OR UNDER ANY ACT OTHER THAN THE INJURIES IN WAR (COMPENSATION) ACT, 1915.**

No person who is eligible to benefit under this Scheme shall lose by virtue thereof any gratuity or any superannuation or other allowance for which he may be eligible under any provision of the Superannuation Acts, 1834 to 1914, and any person who if this Scheme had not been framed and the Injuries in War (Compensation) Act, 1915, had not been passed would have been entitled to any gratuity or allowance in respect of injury under Section 1 of the Superannuation Act, 1887, or (not being a person or a dependant or legal personal representative of a person in the direct employ of the Crown) to any compensation under the Workmen's Compensation Act, 1906, or any damages or compensation at Common Law, or under the Employers' Liability Act, 1880, or any other Statute, shall remain entitled to the gratuity, allowance, pension, compensation, or damages, as the case may be, but shall be entitled to benefit under this Scheme only to the extent if any by which the value of the benefits it confers exceeds the value of the gratuity, allowance, pension, compensation, or damages, as the case may be.

Values for the purposes of this Scheme shall be decided at his sole discretion by the Postmaster-General, who may at the like discretion increase or diminish any of them if and whenever circumstances shall change, and may in estimating the value of any compensation payable to dependants under the Workmen's Compensation Act, 1906, take into account the full amount of the compensation payable or awarded without having regard to the mode of its distribution under the said Act, and there shall be no appeal from the decision.

Any pension or allowance awarded under this Scheme may at the discretion of the Postmaster-General be commuted for a single payment, the amount of which shall be settled between the party entitled and the Postmaster-General, and in any case in which the Postmaster-General may think such a course desirable he may

award a lump sum of such amount as he may determine in lieu of any pension or allowance.

No disabled person shall receive as the result of this Scheme a total annual payment out of the Public Funds in excess of his pay at the date of the injury or disablement.

*Benefits not assignable.*

A payment under this Scheme shall not be capable of being assigned, charged, or attached, and shall not pass to any other person by operation of law, and where the Postmaster-General shall consider it desirable in the interest of any person to whom any payment is hereby directed or authorised to be made, he may appoint a trustee or trustees and pay the money to him or them to be administered for the benefit of such person, or his dependants, or any of them, and the receipt of the trustee or trustees shall be a good discharge to the Postmaster-General for the same.

*Mode of Payment of Pensions, &c., awarded to Persons of Unsound Mind.*

When a person to whom a pension, grant, or other allowance, has been awarded under this Scheme, is certified by a Justice, or a Minister of Religion, and by a Medical Practitioner to be unable by reason of mental disability to manage his or her affairs, the Postmaster-General may pay so much of the allowance as he thinks fit to the institution or person having the care of the disabled person, and may pay the surplus, if any, or such part thereof as the Postmaster-General thinks fit, for or towards the maintenance and benefit of the dependants of the disabled person, and the Government shall be discharged from all liability in respect of any sums so paid.

*Interpretation of the Scheme.*

In the event of any question arising on the interpretation or administration of this Scheme the decision of the Postmaster-General thereon shall be final.

At the Court at Buckingham Palace, the 14th day of October 1915.

PRESENT,

The KING's Most Excellent Majesty in Council.

**WHEREAS** there was this day read at the Board a Memorial from the Right Honourable the Lords Commissioners of the Admiralty, dated the 27th day of September 1915, in the words following, viz. :—

"Whereas by Section 3 of the Naval and Marine Pay and Pensions Act, 1865, it is enacted, *inter alia*, that all pay, pensions, or other allowances in the nature thereof, payable in respect of services in Your Majesty's Naval or Marine Force to a person being or having been an Officer, Seaman, or Marine therein, shall be paid in such manner, and subject to such restrictions, conditions, and provisions, as are from time to time directed by Order in Council :

"And whereas by Order in Council of His late Majesty bearing date the 5th day of March 1910, it is provided that Officers on the Retired or Pension Lists of the Royal Navy when called