

cent. of the pension where the pension exceeds £100 a year but does not exceed £200 a year, or 20 per cent. of the pension where the pension exceeds £200 a year,

(b) in other cases, 30 per cent. of the pension where the pension does not exceed £75 a year, or 25 per cent. of the pension where the pension exceeds £75 a year but does not exceed £150 a year, or 20 per cent. of the pension where the pension exceeds £150 a year;

but no pension shall be increased by an amount greater than is sufficient to bring the total income of the pensioner up to the appropriate income limit in paragraph 2 (a) above.

“ 4. Provisions regarding the calculation of the increase.

(a) Any portion of a pension which has been commuted shall not be regarded as part of the pension for the purposes of this Schedule, except that where the commutation was effected after 31st December, 1943, the commuted portion may wholly or partially be so regarded.

(b) The income of a married pensioner shall be deemed to include the income of the husband or wife of the pensioner, but the income of a pensioner shall not be otherwise deemed to include the income of any other person.

(c) A pensioner shall be regarded as unmarried unless the husband or wife of the pensioner is alive, but where a husband and wife are living apart, they may be treated as unmarried persons.

(d) To be regarded as dependent on the pensioner for the purpose of this schedule a person must be in fact wholly or mainly supported by the pensioner, must not have an income from other sources (apart from income from any scholarship or educational endowment) in excess of £52 a year, and must be either

(i) the parent, brother, sister, child, uncle or aunt of the pensioner, or of the pensioner's husband or wife, or deceased husband or wife or the child of any such relative (“child” including legitimate and illegitimate children, step-children, and statutorily adopted children), or the pensioner's step-father or step-mother, or

(ii) under 16 years of age, or receiving full-time instruction at an educational establishment, or undergoing full-time training for a trade, profession, or vocation.

(e) Where in addition to the increasable pension, a pensioner is in receipt of other pension or pensions of the following types:—

(i) a pension to which this Schedule applies;

(ii) a pension arising from service in the Forces (but excluding any pension or any part of a pension granted in respect of disablement or death attributable to, or aggravated by such service);

(iii) a pension coming within the first Schedule to the Pensions (Increase) Act, 1944 (but excluding any portion of such pension representing an addition consequent on the receipt of war bonus during the present war), all such pensions shall be aggregated for the purpose of determining the percentage increase permissible on the pension or pensions to which this Schedule applies.

(f) Where a husband and wife are both in receipt of pensions to which this Schedule applies, both pensions may be increased individually, but so that the appropriate joint income limit is not exceeded, and where the increase admissible thus falls to be restricted, the increase shall be apportioned proportionately between the pensions.

(g) Where a widow in receipt of a pension on account of widowhood has dependent on her a child or children under 16 years of age receiving pension or compassionate allowance in respect of her husband's services, the widow's pension and children's awards shall be aggregated for the purpose of determining the percentage increase applicable to them.

“ SCHEDULE II.

“ 1. This Schedule relates to Officers' service retired pay, or the service portion of disability retired pay, awarded or assessed under the provisions of Orders in Council of the 22nd January, 1920, and 11th October, 1923, 4th May, 1935, and in subsequent Orders in Council, authorising scales of service retired pay or service portions of disability retired pay based upon the consolidated rates of retired pay authorised by Order in Council of the

4th May, 1935; but shall not apply to retired pay granted to certain Officers retired under the Special Retirement Schemes sanctioned by Orders in Council of the 14th July, 1922, and 16th January, 1924, whose retired pay was specifically exempted from subsequent periodical review.

“ It also relates to pensions payable under Order in Council of the 27th October, 1936, and previous Orders relating to Riggers and Yardcraft personnel and to pensions payable under Order in Council of the 27th October, 1936, and previous Orders relating to certain Shipwrights, except that it does not relate to any such pensions payable by reason of death or retirement before the 21st February, 1922, nor Retired Pay awarded or assessed at men's pension rates.

“ 2. Such awards may be increased as follows:—

(i) If the award does not exceed £400 a year, by 10 per cent.;

(ii) If the award exceeds £400 a year, but does not exceed £600 a year, by 7½ per cent.;

(iii) If the award exceeds £600 a year, but does not exceed £645 a year, to the latter figure.

“ This increase shall be given without regard to the income or other circumstances of the pensioner, but where an increase of the award is admissible under the provisions of the First Schedule, the amount of the latter increase shall be limited to the excess, if any, over the increase authorised by this paragraph.

“ 3. In computing the increases permissible under paragraph 2, any sum commuted from the original retired pay shall be added to the existing rate, and eligibility for increase shall be determined by, and the rate of increase assessed on, the total so obtained.

“ SCHEDULE III.

“ Special Provisions.

“ 1. Additional retired pay granted to retired Officers in respect of service in certain salaried appointments made under the provisions of Orders in Council of the 13th December, 1921, 26th May, 1925, and 23rd July, 1931, and subsequent amending Orders in Council, may be increased to the extent to which a corresponding award under the Superannuation Acts, 1834 to 1943, could be increased under the provision of the Pensions (Increase) Act, 1944.

“ 2. The retired pay of an Officer who, under regulations in force prior to Order in Council of the 22nd January, 1920, was granted a higher rate of retired pay than that for which he would have been eligible under the provisions of that Order, shall not be increased under the provisions of Schedule II to an amount greater than that for which he would have been eligible had he been granted the appropriate rate under the provisions of the said Order in Council.

“ 3. The income limits imposed by Orders in Council of the 27th March, 1923, and the 1st February, 1926, in connection with the re-assessment of certain awards shall be withdrawn and the income limits set out in paragraph 2 of the First Schedule above shall be substituted.

“ General Provisions.

“ 1. Where the amount to which a pension may be increased is less than the amount to which the pension might have been increased had it been smaller, the pension may be increased to the latter amount.

“ 2. In calculating, for the purposes of Orders in Council of the 13th August, 1920, or the 8th December, 1924, the means of any pensioner or the amount of any pension, any increase for which provision is made by this Order in Council shall be disregarded, and where the amount of any pension has been increased under the aforesaid Orders of the 13th August, 1920, or the 8th December, 1924, or by any other corresponding enactment, the increase for which provision is made by this Order in Council shall be calculated upon the amount of the pension as so increased.

“ 3. Where a pension has been increased by virtue of any addition since the 3rd September, 1939, to the emoluments of any office or employment in respect of which, or on retirement from which, the pension is payable, and the said addition was an addition by way of war bonus or other similar allowance, the increase authorised under the First and Second Schedules shall be calculated as if the pension had not been increased by reason of the said addition, and