

under column (8) in the First Schedule to the 1917 (Officers) Order; and, in relation to a warrant officer, means retired pay under column (3) or (4) in the First Schedule to the 1921 (Warrant Officers) Order or an addition to service retired pay, pension or gratuity under column (5) or (6) in the First Schedule to the 1921 (Warrant Officers) Order or an addition to service pension under column (5) or (6) in the First Schedule to the 1917 (Warrant Officers) Order:

(15) "war service", in relation to an officer, nurse or rating, means service as such during the whole or any part of the period beginning on the 4th August, 1914, and ending on the 30th September, 1921:

(16) "wife", in relation to an officer or rating, means a woman who is legally married to the officer or rating and includes a wife whose marriage to the officer or rating took place after the receipt of the wound or injury, or after his removal from duty on account of the contraction or aggravation of the disease, for which he receives pension or after the end of his war service:

(17) "widow" means the widow of an officer or rating who died on or after the 3rd September, 1939, but shall not include a widow who was separated from her husband at the time of his death.

2. *Interpretation.*—(1) The Interpretation Act, 1889 (52 and 53 Vict. c. 63), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) References in this Order to any enactment shall, unless the context otherwise requires, be construed as references to that enactment, as amended by or under any other enactment or order, and to any other enactment substituted therefor.

(3) The Orders referred to in Article 1 shall be construed as one with this Order.

3. *Allowance in respect of a wife.*—Where an officer is in receipt of retired pay or a rating is in receipt of a pension in respect of a wound, injury or disease, he may be granted an allowance in respect of his wife of such proportion of £36 a year in the case of an officer, or of 10s. a week in the case of a rating, as corresponds to the degree of disablement at which the wound, injury or disease is assessed for retired pay or a pension:

Provided that—

(a) the award, continuance and amount of any allowance under this Article in respect of a wife who is living apart from the officer or rating shall be at the discretion of the Minister; and

(b) any allowance granted under this Article to a rating shall be in lieu of any allowance under Article 1a of the 1920 Order.

4. *Allowances in respect of children.*—(1) Where an officer is in receipt of retired pay, or a rating is in receipt of a pension, in respect of a wound, injury or disease, he may be granted in respect of a child of his, subject to the conditions set out in Article 2 of the 1920 Order (the age of 18 years being substituted therein, in relation to the child of an officer, for the age of 16 years), an allowance at such proportion of whichever of the following rates is applicable as corresponds to the degree of disablement at which the wound, injury or disease is assessed for retired pay or pension, namely—

(a) in the case of an officer's child—

(i) where an allowance is in issue in respect of a wife, £30 a year; or

(ii) where an allowance is not in issue in respect of a wife, £36 a year for the first child and £30 for each other child;

(b) in the case of a rating's child—

(i) where an allowance is in issue in respect of a wife, 7s. 6d. a week; or

(ii) where an allowance is not in issue in respect of a wife, 10s. a week for the first child and 7s. 6d. a week for each other child.

(2) A pension or allowance under this Article shall terminate when the child of an officer attains the age of 18 years or the child of a rating attains the age of 16 years but, in either case, may be awarded or continued, subject to the following provisions of this Article, after the child has attained that age if the child—

(a) is an apprentice receiving not more than nominal wages or is receiving whole-time education

at a secondary school, technical institute or university; or

(b) is incapable of self-support by reason of infirmity which arose before he attained that age; and the circumstances of the case are, in the opinion of the Minister, such as to justify the award or its continuance.

(3) Paragraph (2) of Article 2 of the 1920 Order and the figure "(2)," in paragraph (2) (iii) of Article 6 of that Order shall be deleted.

5. *Allowances for disabled officers, nurses and ratings who are unemployable.*—(1) *Eligibility.* Where an officer is in receipt of retired pay, or a nurse or a rating is in receipt of a pension, in respect of disablement so serious as to make him unemployable, he may be awarded allowances in accordance with such of the provisions of this Article as may be appropriate in his case:

Provided that—

(a) such an officer, nurse or rating may be deemed to be unemployable although in receipt of earnings which are, in the opinion of the Minister, unlikely to exceed £52 a year;

(b) such an officer, nurse or rating shall not be eligible for any award under this Article if he is in receipt of a retirement pension (not being contributory old age pension) under the National Insurance Act, 1946 (9 and 10 Geo. 6. c. 67), or under any legislation in Northern Ireland corresponding to that Act or under the law of any place outside the United Kingdom which, in the opinion of the Minister, is analogous to that Act.

(2) *Supplementation of retired pay or pension.* An officer, nurse or rating to whom the provisions of paragraph (1) of this Article apply may be awarded an allowance, by way of supplement to his retired pay or pension, at the rate of £78 a year in the case of an officer or nurse, or 30s. a week in the case of a rating:

Provided that, in computing the said rates, account shall be taken, to such extent as the Minister may think fit, of any of the following benefits for which the officer, nurse or rating may be eligible—

(a) sickness or disablement benefit under the law of any place outside the United Kingdom which, in the opinion of the Minister, is analogous to benefits under the National Insurance Act, 1946 (9 and 10 Geo. 6. c. 67), or under any corresponding legislation in Northern Ireland;

(b) a contributory old age pension or a widow's basic pension under the National Insurance Act, 1946 (9 and 10 Geo. 6. c. 67), or under any legislation in Northern Ireland corresponding to that Act or under the law of any place outside the United Kingdom which, in the opinion of the Minister, is analogous to that Act.

(3) *Additional allowances for dependants.* Where an officer nurse or rating is awarded an allowance in accordance with paragraph (2) of this Article there may also be awarded to him additional allowances in accordance with the following provisions of this paragraph—

(a) where an allowance has been awarded under Article 3 of this Order or under Article 1a of the 1920 Order and the degree of the disablement of the officer or rating is less than 100 per cent. that allowance may be increased to the rate which would be appropriate if the degree of the disablement of the officer or rating were 100 per cent.

(b) where an allowance has been awarded under Article 3 of this Order or under Article 1a of the 1920 Order and the degree of the disablement of the officer or rating is 100 per cent. or where such an allowance has been increased under subparagraph (a) of this paragraph, the rate of the allowance may be increased or further increased, as the case may be by £6 a year in the case of an officer, or 6s. a week in the case of a rating, if the Minister thinks fit having regard to the financial circumstances of the person in respect of whom the allowance has been granted.

(c) where the family of an officer or rating who is not in receipt of an allowance under Article 3 of this Order or under Article 1a of the 1920 Order includes an adult dependant, or where the family of a nurse includes an adult dependant, an allowance may be awarded in respect of that adult dependant at the rate of £42 a year in the case of an officer or nurse, or 16s. a week in the case of a rating, if the Minister thinks fit having