

the member was a commissioned officer or £30 a year where the member was a warrant officer or 11s. a week in any other case.

(3) Where a child of a male member is a child to whom Article 1 (5) (e) applies an allowance under this Article in respect of that child shall be at such rate as the Minister may determine but shall not exceed £36 a year where the member was a commissioned officer, £30 a year where the member was a warrant officer or 11s. a week in any other case.

(4) Where the widower of a woman member is alive, no allowance shall be awarded under this Article in respect of any child of whom the widower is the father or who has been legally adopted by the widower unless the conditions for the award under Article 31 or 36 of a pension to the widower in respect of the death of the member are fulfilled. In this paragraph the word "widower" includes a person married to the member after the material date.

(5) Where—

(a) a child of a male member is not under the control of the child's mother or of a person who is or has been in receipt of a pension under Article 26, 28 or 29, in respect of the death of the member; or

(b) a child of a woman member is not under the control of the child's father or of a widower of the member, being a father or widower in receipt of a pension under Article 31 or 36 in respect of her death;

an allowance under this Article in respect of the child may be awarded at, or, if already awarded, increased to, a rate not exceeding—

(i) where the member was a commissioned officer, £60 a year;

(ii) where the member was a warrant officer, £45 a year if the child has not attained the age of 15 years or £52 a year if the child has attained that age; or

(iii) in any other case, 13s. 6d. a week if the child has not attained the age of 15 years or 20s. a week if the child has attained that age.

33. *Pensions to motherless or fatherless children under the age limit.*—Where a child of a male member of the naval forces is or becomes motherless, or where a woman member who has a child dies without leaving a widower (whether married to her before or after the material date) or the pensioned widower of such a woman member dies and in either case the child has not attained the child's age limit, a pension may be awarded to the child at whichever of the following rates is applicable:—

(a) where the member was a commissioned officer £60 a year;

(b) where the member was a warrant officer, £45 a year if the child has not attained the age of 15 years or £52 a year if the child has attained that age;

(c) in any other case, 13s. 6d. a week if the child has not attained the age of 15 years or 20s. a week if the child has attained that age.

Provided that, in the case of a male member, a pension under this Article to a child to whom Article 1 (5) (e) applies shall be at such rate as the Minister may determine, but shall not exceed the rate which would be appropriate under the foregoing provisions of this Article.

34. *Awards to or in respect of children over the age limit.*—(1) An allowance in respect of, or a pension to, a child of a member of the naval forces may be awarded, or an award of such an allowance or pension may be continued, subject to the following provisions of this Article, after the child has attained the child's age limit where the child—

(a) is a student or an apprentice; or

(b) is incapable of self-support by reason of an infirmity which arose before he attained the child's age limit;

and the circumstances are such, in the opinion of the Minister, as to justify the award or its continuance.

(2) Subject to paragraph (3) of this Article, an allowance or pension so awarded or continued shall be at the rate and subject to the conditions laid down in the foregoing provisions of this Part.

(3) Where a child in whose case the conditions of Article 32 (5) or 33 are fulfilled has attained the age of 18 years and is incapable of self-support by reason of an infirmity which arose before he attained the child's age limit, the allowance or pension may be awarded at, or if already awarded increased to, a rate

not exceeding £68 a year in the case of an officer's child or 26s. a week in any other case.

35. *Education allowances.*—(1) An allowance in respect of a child of a member of the naval forces may be awarded for the purpose of that child's education if—

(a) the child has attained the age of 5 years; and

(b) the circumstances of the family are such as to require it; and

(c) the Minister is satisfied that the type of education which the child is receiving or is to receive is suitable for the child.

(2) The amount of an education allowance shall be determined by the Minister, but the total payments made in respect of any period of twelve months shall not exceed £80 in respect of any one child.

36. *Awards for ineligible members of the family of unemployable pensioners.*—Where a member of the naval forces was at the date of his death in receipt of an allowance in respect of a child under Article 17 (3) (d) (ii) or in respect of a husband under Article 17 (3) (b), a pension to or an allowance in respect of the child and a pension to the husband may be awarded at the rate and subject to the conditions which would have been appropriate under the foregoing provisions of this Part if the child or husband had been an eligible member of the family.

37. *Pensions to parents.*—(1) Subject to the following provisions of this Article, the parent of a member of the naval forces may be awarded a pension if he is in pecuniary need by reason of old age, or infirmity or other adverse condition which is not merely of a temporary character:

Provided that, where the widow, unmarried dependant living as a wife, or widower of a member is in receipt of a pension under this Part, a pension shall not be awarded under this Article unless the parent was dependent on the member.

(2) In determining whether and to what extent a parent is in pecuniary need, the Minister shall take into account the extent to which the member before and during his service supported the parent, and the extent to which the member, if he had not died, would have been likely, in the opinion of the Minister, to support the parent thereafter.

(3) The rate of a pension under this Article shall be not less than £15 a year where the member was an officer, or 5s. a week in any other case, and shall not exceed—

(a) where the member was a male commissioned officer, whichever is the greater of the following rates, namely—

(i) £75 a year where there is only one eligible parent or £100 a year where there is more than one eligible parent; or

(ii) the appropriate ordinary rate of a widow's pension under the principal regulations;

(b) where the member was a woman with commissioned officer status, £75 a year where there is only one eligible parent or £100 a year where there is more than one eligible parent;

(c) where the member was a warrant officer, £60 a year where there is only one eligible parent or £85 a year where there is more than one eligible parent;

(d) in any other case, 20s. a week where there is only one eligible parent or 27s. 6d. a week where there is more than one eligible parent.

Provided that, in exceptional cases, the rate of the pension may be increased in excess of the foregoing rates by a sum not exceeding:—

(i) where the member was an officer, £20 a year;

(ii) in any other case, 7s. 6d. a week where there is only one eligible parent or 12s. 6d. a week where there is more than one eligible parent.

(4) Where an award to a parent may be made under this Article in respect of the death of two or more members of the naval forces—

(a) one pension only may be awarded under this Article in respect of the death of those members; and

(b) paragraph (2) of this Article shall have effect as if it referred to the support given to the parent by all those members.

(5) Where the conditions for the award of a pension under this Article are fulfilled in the case of more than one parent of a member, a pension may be awarded to whichever parent the Minister