

"(B) The special conditions governing the grant of these family allowances shall be as follows:

"(a) For a wife—

if she is living apart from her husband, family element shall not be allowable in respect of her, unless—

(i) she was being regularly maintained in whole or in part by her husband up to the date of any award or renewal of his disablement pension, and/or

(ii) she is entitled to support under a separation or maintenance order, or

(iii) the separation was caused by the husband's mental instability due to the disability in respect of which he is granted his disablement pension.

"(b) For a step-child or a legally adopted child—the child shall have been regularly maintained in whole or in part, by the member.

"(c) For an illegitimate child—

(i) the child shall have been born before or within nine months after the date on which the member sustained the wound or injury, or the date on which he was removed from duty on account of the disease in respect of which his disablement pension is granted, and

(ii) the child shall have been regularly maintained in whole or in part by the member up to the date of any award or renewal of his disablement pension, or shall be the subject of an affiliation order in force against the member.

"(d) For a foster child—

(i) the child shall have been brought up and wholly or mainly maintained by the member on the date on which he sustained the wound or injury, or was removed from duty on account of the disease, in respect of which his disablement pension is granted, and

(ii) the child shall have been brought up and wholly or mainly maintained by the member for not less than six months (or such lesser period as the Admiralty may determine in the exceptional circumstances of any case) during the member's service, and

(iii) the child shall have been so maintained by the member up to the date of any award or renewal of his disablement pension.

"(C) The expressions 'removed from duty' or 'removal from duty' shall be interpreted with reference to the date of the first removal from duty on account of the disease upon which the claim in respect of disablement is based, provided that if, as the result of service subsequent to the date of receipt of the wound or injury or of removal from duty, not being service after the 3rd September, 1939, the member suffered material aggravation of his disability, the date of removal from duty shall be that of the later removal on account of the disability: or, if there was no such removal, the date of termination of full pay service of the member.

"(D) Family addition to disablement pension in respect of a child shall normally terminate when the child attains the age of 18 years in the case of an officer or at the age of 16 years in any other case, but, subject to the production of satisfactory evidence the allowance may be made or continued in respect of a child who has attained the child's age limit when that child—

"(a) is a student, receiving full time instruction at a university, college, secondary school, or technical school or at any other establishment, which, in the opinion of the Admiralty, is a comparable educational establishment; or

"(b) is an apprentice receiving not more than nominal wages; or

"(c) is incapable of self-support by reason of an infirmity which arose before he or she attained the child's age limit.

"(E) Family additions to disablement pension in respect of an individual may be withheld if in the opinion of the Admiralty the circumstances are not such as to justify a grant.

"(F) Where an individual in respect of whom family addition to disablement pension is admissible is not residing with the member, the addition may, at the discretion of the Admiralty, be granted independently, for the benefit of that individual, to some person other than the member.

"4. Education Allowances.

"A member of the Naval or Marine forces who is in receipt of retired pay or a pension under Clause 1 may be awarded an allowance in respect of a child (including a child to whom Clause 7 (e) applies) for the purpose of the education of that child 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 Admiralty is satisfied that the type of education which the child is receiving, or is to receive, is suitable for the child.

"The amount of any allowance under this Clause shall be determined by the Admiralty but the total payments made in respect of any period of twelve months shall not exceed £80 in respect of any one child.

"5. Allowances for Constant Attendance

"Where a member of the Naval or Marine forces is in receipt of retired pay or a pension under Clause 1 in respect of disablement the degree of which is 100 per cent. and it is shown to the satisfaction of the Admiralty that constant attendance on the member is necessary on account of the disablement, he may be awarded an allowance at a rate not exceeding £100 a year in the case of an officer or 35s. a week in any other case.

"Provided that in an exceptional case of very severe disablement the allowance may, subject to such conditions as the Admiralty may determine, be increased to a rate not exceeding £182 a year in the case of an officer or 70s. a week in any other case.

"6. Allowances for Wear and Tear of Clothing.

"(A) Where a member of the Naval or Marine forces who is in receipt of retired pay or a pension under Clause 1 in respect of an amputation regularly wears an artificial limb, he may be awarded an allowance in respect of wear and tear of clothing at whichever of the following rates is applicable:—

(a) where he wears a single artificial limb (other than a tilting table limb), £6 a year; or

(b) where he wears a tilting table limb or more than one artificial limb, £10 a year.

"(B) In any other case in which the Admiralty is satisfied that as a result of the pensioned disablement there is exceptional wear and tear of the member's clothing, an allowance not exceeding £10 a year may be awarded.

"7. Allowances for Unemployable Pensioners.

"Where a member of the Naval or Marine forces is in receipt of retired pay or a pension under Clause 1 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 Clause as may be appropriate in his case.

"Provided that

(i) due account is taken of any Sickness or Unemployment Benefit or Retirement Pension for which the member may be eligible under the National Insurance Acts;

(ii) any earnings of less than £52 a year may be disregarded.

"(a) an allowance by way of supplement to his retired pay or pension at the rate of £143 a year in the case of an officer or 55s. a week in any other case;

"(b) an increase, where necessary, in the rate of family allowance in respect of wife and children awarded under Clause 3 which would be appropriate under that Clause if the degree of disablement were 100 per cent.;

"(c) where an allowance has been awarded under Clause 3 in respect of a wife and the degree of the disablement of the member is 100 per cent., or where an allowance for such a person has been increased or awarded under subparagraph (b), of this Clause, the rate of the allowance may be increased or further increased by £42 a year in the case of an officer or 20s. a week in any other case, if the Admiralty thinks fit having regard to the financial circumstances of the person in respect of whom the allowance has been granted;

"(d) where the member is not in receipt of an allowance under Clause 3 in respect of a wife an allowance may be awarded in respect of an adult dependant at the rate of £78 a year in the case of an officer or 30s. a week in any other case, if the Admiralty thinks fit having regard to the