

(b) R.N. Ratings' and R.M. Other Ranks' Widows Pension (Weekly)

	s.	d.
Regimental Sergeant Major R.M.	18	0
Quartermaster Sergeant R.M.	16	8
Chief Petty Officer/Colour Sergeant R.M. ...	15	4
Petty Officer/Sergeant R.M.	13	4
Leading Rating/Corporal R.M. and all lower ranks	10	0

" 10. Supplements to 'Modified' Family Pensions

(a) Where, but for the pension or allowances awarded on the ground that the husband's death was due to service, a widow would have received a National Insurance award, the Admiralty may grant a supplementary pension equal to the amount by which the widow's 'attributable' pension and the 'modified' family pension falls short of an award of 'ordinary' family pension, together with the National Insurance award and a lead of £26 a year in the case of the widow of an officer, 7s. 6d. a week in the case of the widow of a Regimental Sergeant Major, Royal Marines, and 5s. 0d. a week in the case of the widow of any other rank or rating.

(b) A supplementary pension for a widow with children will be calculated as if the awards to that widow and children were one award, and may not be calculated as a separate pension for each dependant.

(c) The same lead will apply for a motherless child or children as for the widow and children of an officer of corresponding rank.

(d) A supplementary pension will be assessed on the basis of the awards in payment in the calendar year starting on the date of commencement of the 'modified' family pension granted under clauses 8 or 9, but excluding the amount by which the rate of National Insurance Widow's Allowance would exceed that of subsequent National Insurance Widow's Benefits or does exceed that of the widow's 'attributable' pension. The amount of the supplementary pension will be re-assessed on the cessation of individual children's pensions, but will otherwise normally remain unaltered.

(e) In calculating or re-assessing a supplementary pension any Education or Rent Allowance, or any grants to a widow or unmarried dependant under Order in Council of 13th May, 1959, shall not be taken into account.

" 11. Definition of Rank for the Purposes of Minimum Awards of 'Ordinary' and 'Modified' Family Pensions.

Rank for the purposes of clauses 7 and 9 will be as follows:

(a) *Officers.* As defined in Clauses 24 and 25 of Schedule 1 to Order in Council of 24th January, 1957, except that the minimum periods laid down in Clause 24 will not apply where an officer dies while serving on the Active List; higher paid acting or temporary rank, and rank held during further service after retirement, will be taken into account to the same extent as for retired pay purposes.

(b) *R.N. Ratings and R.M. Other Ranks.* The highest paid rank held for an aggregated period of two or more years during the last five years of service preceding termination of full pay service (including service in a higher paid rank of less than two years' duration); or, if more favourable, where the R.N. rating or R.M. other rank was invalidated or died whilst serving the substantive rank held at the time of discharge or death. If a R.N. rating or R.M. other rank who has completed a pensionable engagement is permitted to remain in or re-enter the Service in a lower rank, the rank will be the highest paid rank held for two or more years during the five years preceding the completion of such pensionable engagement if this is more favourable.

" SECTION III*" Conditions Governing the Award of Family Pensions**" 12. Pension Cannot be Claimed as a Right.*

(a) A pension cannot be claimed as a right and will not be granted or continued when the applicant is shown to be unworthy of an award from public funds, nor will it be granted if the service of the Officer, R.N. rating or R.M. other rank has not been such as, in the opinion of the Admiralty, to justify the award.

(b) If the death of an officer or rating or marine, or the wound, injury or disease which resulted in

his death, was due wholly or in part to his own negligence or misconduct or to any cause within his control, any grant which might otherwise be made to his widow or children may be withheld or reduced in amount at the discretion of the Admiralty.

(c) If an Officer retired, dismissed the Service, or called upon to retire for misconduct or inefficiency, or a R.N. rating or R.M. other rank discharged for misconduct or inefficiency was not granted any retired pay or pension in respect of his service, no award will be made to the family. If reduced retired pay or service pension was awarded, the family pension will be at such rate as the Admiralty may determine.

(d) If the applicant is granted any other pension or allowance from public funds on account of the services of the deceased, any pension which might otherwise be granted under this Schedule may be withheld or reduced as the Admiralty may determine.

" 13. Conditions Relating to Marriage

(a) To be eligible for a pension, a widow must have been married to the Officer, R.N. rating or R.M. other rank before his retirement or discharge; or, if he subsequently gave further service in circumstances rendering him eligible to be considered for a re-assessment of retired pay or pension, before the termination of such further service.

(b) If the death of the officer, R.N. rating or R.M. other rank occurred within a year of his marriage, the Admiralty, in the light of the circumstances of the case, may withhold or reduce the award otherwise admissible.

" 14. Effect of Separation on Widow's Pension and Gratuity.

Subject to any exception which the Admiralty may approve in a particular case, an award will not be made to a widow who was separated from her husband at the time of his death. Should such an exception be approved, the award will be at such a rate, and subject to such conditions, as the Admiralty may determine.

" 15. Withholding or Diversion of Pension

In exceptional circumstances the Admiralty may withhold the whole or any part of a pension granted under this Schedule and may divert the whole or part for the benefit of persons dependent on the pensioner.

" 16. Date of Commencement of Pension

The date of commencement of pension will be determined according to the circumstances of the case and will normally, if application is not unduly delayed, be the date following the husband's death; or, if death occurred during service, the date following the termination of allowances issuable after death.

" 17. Belated Claims

An award will not be made if the claim thereto is not established before the death of the person to whom it might have been made and such failure is due to neglect or omission on the part of such person or, if the person is not of adult age, on the part of his or her guardian or other representative.

" 18. Re-marriage

The pension of a widow who re-marries will be suspended, but if she again becomes a widow her pension may be restored in whole or in part at the discretion of the Admiralty, if her pecuniary circumstances justify such restoration.

" 19. Children

(a) A 'child' for the purposes of the award of a pension under this Schedule means:—

(i) A legitimate child of the Officer, R.N. rating or R.M. other rank whose mother is, or would have been, eligible for a widow's pension.

(ii) A step child of the Officer, R.N. rating or R.M. other rank, whose mother is, or would have been, eligible for a widow's pension, and who was mainly dependent on him at the time of his death.

(iii) A child adopted by the Officer, R.N. rating or R.M. other rank, or by his wife, before his retirement or discharge; or, if he subsequently gave further service in circumstances rendering him eligible to be considered for a re-assessment of retired pay or service pension, before the termination of such service; who was mainly dependent on him at the time of his death.

(iv) An illegitimate child of the Officer, R.N. rating or R.M. other rank, or of his wife, born before