

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, technical school or any other establishment, which, in the opinion of the Ministry of Defence, 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 Ministry of Defence 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 Ministry of Defence, be granted independently, for the benefit of that individual, to some person other than the member.

#### 4. EDUCATION ALLOWANCES

A member of the naval 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 9 C. (d) 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 Ministry of Defence 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 Ministry of Defence but the total payments made in respect of any period of twelve months shall not exceed £120 in respect of any one child.

#### 5 ALLOWANCES FOR CONSTANT ATTENDANCE

Where a member of the naval forces is in receipt of retired pay or a pension under Clause 1 in respect of disablement the degree of which is not less than 80 per cent., and it is shown to the satisfaction of the Ministry of Defence that constant attendance on the member is necessary on account of the disablement, he may be awarded an allowance at a rate not exceeding £143 a year in the case of an officer or 55s. a week in the case of a rating.

Provided that in an exceptional case of very severe disablement the allowance may, subject to such conditions as the Ministry of Defence may determine, be increased to a rate not exceeding £286 a year in the case of an officer or 110s. a week in the case of a rating.

#### 6. EXCEPTIONALLY SEVERE DISABLEMENT ALLOWANCE

Where the disablement of a member of the naval forces is, and in the opinion of the Ministry of Defence is likely permanently to remain, such that he is, or if he were not in a hospital or other institution would be, in receipt of an allowance for constant attendance at a rate increased under the proviso to Clause 5, he may be awarded an allowance at the rate of £156 a year in the case of an officer or 60s. a week in the case of a rating.

#### 7. SEVERE DISABLEMENT OCCUPATIONAL ALLOWANCE

Where a member of the naval forces is in receipt of an allowance for constant attendance at a rate increased under the proviso to Clause 5, or would be in receipt of such an allowance if he were not in a hospital or other institution, he may for any period during which he is, in the opinion of the Ministry of Defence, ordinarily employed in a gainful occupation, be awarded an allowance at the rate of £52 a year in the case of an officer, or 20s. a week in any other case.

Provided that no allowance shall be payable under this Clause to a member for any period in respect of which he is:—

- (a) eligible for an award under Clause 9 B.;
- (b) in receipt of any such benefit as is mentioned in Clause 13 G. or a treatment allowance increased under D. of that Clause.

#### 8. ALLOWANCES FOR WEAR AND TEAR OF CLOTHING

A. Where a member of the naval 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), £7 10s. a year; or
- (b) where he wears a tilting table limb or more than one artificial limb, £12 10s. a year.

B. In any other case in which the Ministry of Defence 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 £12 10s. a year may be awarded.

#### 9. ALLOWANCES FOR UNEMPLOYABLE PENSIONERS

##### A. Eligibility

Where a member of the naval forces is in receipt of retired pay or a pension under Clause 1 in respect of disablement so serious as to make him unemployed, 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) such a member may be deemed to be unemployed although in receipt of earnings which are, in the opinion of the Ministry of Defence, unlikely to exceed £104 a year;
- (ii) such a member shall not be eligible for any award under this Clause if he is in receipt of a retirement pension (not being contributory old age pension) under the National Insurance Acts 1946 to 1964 or under any legislation in Northern Ireland corresponding to those Acts.

##### B. Supplementation of retired pay or pension

A member coming within paragraph A of this Clause may be awarded an allowance, by way of supplement to his retired pay or pension, at the rate of £227 10s. 0d. a year in the case of an officer, or 87s. 6d. a week in any other case:

Provided that, in computing the said rates, account shall be taken, to such extent as the Ministry of Defence may think fit, of a contributory old age pension under the National Insurance Act 1946, or under any legislation in Northern Ireland corresponding to that Act for which the member may be eligible.

##### C. Additional allowances for dependants

Where a member is awarded an allowance in accordance with paragraph B of this Clause, he may also be awarded additional allowances in accordance with the following provisions of this paragraph:

- (a) Where an allowance has been awarded under Clause 3 in respect of a wife and the degree of disablement of the member is less than 100 per cent., that allowance may be increased to the rate which would be appropriate under that Clause if the degree of the disablement of the member were 100 per cent.
- (b) 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 person has been increased or awarded under subparagraph (a) of this paragraph, the rate of the allowance may be increased, or further increased, as the case may be, by £94 a year in the case of an officer, or 40s. a week in any other case, if the Ministry of Defence thinks fit having regard to the financial circumstances of the person in respect of whom the allowance has been granted.
- (c) 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 £130 a year in the case of an officer, or 50s. a week in any other case, if the Ministry of Defence thinks fit having regard to the financial circumstances of the person in respect of whom the allowance is claimed; provided that the member shall not be awarded an allowance in respect of more than one adult dependant.
- (d) (i) Where an allowance has been awarded under Clause 3 in respect of a child and the degree of disablement of the member is less than 100 per cent., that allowance may be increased to the rate which would be appropriate under that Clause if the degree of the disablement of the member were 100 per cent.