

- (b) In the case of a widow whose husband's last day of service was after 30th March 1969 and before 31st March 1970, 18 per cent. will be added to an existing award.
- (c) In the case of a widow whose husband's last day of service was after 30th March 1970 and whose award is based upon regulations which were effective from 1st April 1970, 12 per cent. will be added to an existing award from the effective date of subsequent regulations or from 1st September 1971 whichever is the later.
- (d) In the case of a widow whose husband's last day of service was after 30th December 1970 and whose award is based upon regulations which were effective from 1st January 1971, 6 per cent. will be added to an existing award from the effective date of subsequent regulations or from 1st September 1971 whichever is the later.
- (e) Similar action will be taken in the case of children, and widows under 40 years of age, except that they will not be eligible for the increases mentioned at paragraph 9(a), (b), (c) or (d), nor that at paragraph 10 unless one of the conditions at paragraph 2(b), (d) or (e) is satisfied.
- (f) This paragraph does not apply to widows of Admirals of the Fleet.
10. 18 per cent. will be added to minimum rates of family pensions.
11. (a) For the purposes of paragraphs 5, 9 and 10 it will be assumed that pensioners (excluding children other than those whose pensions are awarded or continued on grounds of incapacity) have reached the age of 70 at 31st March 1969.
- (b) In implementing paragraph 9(e) for an overage incapacitated child, calculations made by analogy with paragraph 9(a) shall be based on the mother's pension excluding any "age 70" addition to which she may be entitled, but the resultant amount shall include any "age 70" addition to which the child may be entitled in its own right.
12. The pensions of widows of Admirals of the Fleet will be increased by the appropriate fraction of the following:
- (a) In the case of a pension based on the rate of half pay of Admirals of the Fleet introduced from 1st April 1960, that rate of half pay increased by 63.2 per cent.
- (b) In the case of a pension based on the rate of half pay of Admirals of the Fleet introduced from 1st April 1964, that rate of half pay increased by 43.7 per cent.
- (c) In the case of a pension based on the rate of half pay of Admirals of the Fleet introduced from 1st April 1969 that rate of half pay increased by 18 per cent.
- (d) In the case of a pension based on the rate of half pay introduced from 1st April 1970, that rate of half pay increased by 12 per cent.
- (e) In the case of a pension based on the rate of half pay introduced from 1st January 1971, that rate of half pay increased by 6 per cent. In such a case the widows pension will be increased from 1st September 1971, or from the effective date of a new rate, of half pay for Admirals of the Fleet whichever is the later.
13. The expression "dependant" for the purpose of sub-paragraph 2(d) means a person wholly or mainly supported by the pensioner and who either:
- (a) has not attained the age of 16 years or who, having attained that age, is receiving full-time instruction at an educational establishment or undergoing training for a trade, profession or vocation in such circumstances that he is required to devote the whole of his time to that training for a period of not less than two years; or
- (b) immediately before 1st April 1969, qualified the pensioner under former Pensions Increase Orders in Council for an increase of pension which would otherwise have been inadmissible.
14. The grant of an increase of pension under this Order shall not affect eligibility for increases of pension under former Pensions Increase Orders in Council and any increase granted under this Order shall be disregarded in assessing the increase admissible under former Pensions Increase Orders in Council.
15. The increase to be awarded to officers who served in certain salaried appointments for which provision is made in Orders in Council dated 13th December 1921 (No. 207*/CE), 26th May 1925 (No. 114A/CE) and 23rd July 1931 (No. 96/CE) and subsequent amending Orders in Council and whose retired pay includes an addition in respect of service in the salaried appointment, shall be the difference between the award of retired pay, including pension increases, in payment prior to 1st September 1971 and the sum of:
- (a) the service retired pay earned by service on the active list increased in accordance with the general conditions by the pensions increases, including the increase provided for in this Order, applicable to the retired pay code under which this element of retired pay was awarded; plus
- (b) the additional retired pay earned by service in the salaried appointment increased in accordance with the general conditions by the Pensions (Increase) Act 1971, applicable to a civil pension commencing on the date of final retirement.
16. The pensions specified at sub-paragraphs (d), (e), (f), (g) and (m) of paragraph 1 of this Order may be increased only by the extent to which a corresponding award under the Superannuation Acts would have been increasable under the Pensions (Increase) Act 1971.
17. Any general condition attaching to the grant or continuance of a pension shall apply also to the grant or continuance of any increase to that pension.
18. References to former Pensions Increase Orders in Council are to all or any of Orders in Council of 13th August 1920 (No. 124/AG), 8th December 1924 (No. 87/AG), 25th June 1925 (No. 117/AG), 1st February 1926 (No. 159/AG), 28th September 1944 (No. 57/PM), 24th January 1945 (S.R. & O. 1945, No. 80), 20th March 1946 (No. 95/PM), 2nd April 1947 (No. 109/PM), 4th September 1952 (No. 73/PM), 3rd June 1954 (No. 19/NP), 9th October 1956 (No. 39/NP), 14th September 1959 (No. 33*/NP), 17th January 1963 (No. 1*/NP), 31st January 1966 (No. 14*/NPP) and 25th February 1970 (No. 21*/NPP).

At the Court at Buckingham Palace the 16th day of February 1973

PRESENT,

The QUEEN'S MOST EXCELLENT MAJESTY in Council

Whereas by section 3 of the Naval and Marine Pay and Pensions Act 1865 (1865, c. 73), it is enacted *inter alia*, that all pay, pensions, or other allowances in the nature thereof, payable in respect of services in Her Majesty's Naval or Marine Forces to a person being or having been an Officer, Seaman or Marine therein, shall be paid in such manner and subject to such restrictions, conditions and provisions as are from time to time directed by Order in Council;

And Whereas by Order in Council dated the 12th day of July 1968 rates denominated in Hong Kong dollars and conditions of award of service pensions, terminal grants and service gratuities were laid down for Naval ratings locally entered at Hong Kong;

And Whereas it is expedient that the said rates should be increased;

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by the said Act and of all other powers enabling Her in that behalf is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Naval and Marine Pay and Pensions (Hong Kong Locally Entered Ratings' Service Pensions and Gratuities) Order 1973.
2. With effect from the dates stated therein, the rates of service pensions, terminal grants and service gratuities for Naval ratings locally entered at Hong Kong shall be as set out in the Schedule to this Order.

W. G. Agnew