

(b) A child's pension will normally cease when the child attains the age of 16 years, except where an Officer, Fleet Chief Petty Officer or Regimental Sergeant Major, Royal Marines was retired or discharged before 31st March 1973 when payment of a child's pension will normally cease at the age of 18 years.

However, it may be granted or continued after these ages:

(i) if the child continues to receive full-time education, or is an apprentice not receiving more than nominal wages; or

(ii) if, before attaining the age referred to above the child was, and continues to be afflicted by mental or bodily infirmity and is therefore incapable of earning his or her own living, provided the Secretary of State for Defence considers that the pecuniary circumstances of the child and family are such as to justify the award.

(c) Children's pensions will be paid to the widow or mother of the child, or other person responsible for the child's maintenance, or to the child direct as may be decided by the Secretary of State for Defence.

(d) Pensions of children of Officers and of Fleet Chief Petty Officers and Regimental Sergeant Majors, Royal Marines, may be issued quarterly in advance.

26. *Commutation of Retired Pay.* The widow and children of an Officer who commuted a portion of his retired pay under the Pensions Commutation Acts 1871 to 1882, or of a RN rating, or RM other rank who has commuted part of his pension, shall not thereby be deprived of entitlement to pension under this Schedule, but the award to the widow of an Officer whose marriage took place after commutation, a legitimate or illegitimate child born after commutation, a step-child eligible by virtue of a marriage after commutation, or a child adopted after commutation, shall be reduced by a proportion corresponding to the proportion of retired pay commuted.

SECTION VI

Gratuities to Widows and Children on the Death of Serving Officers, RN Ratings and RM Other Ranks

27. (a) The provisions of this Section apply to the widows and children of Officers, RN ratings and RM other ranks who die while serving on full pay on or after 31st March 1973.

(b) All awards under this Section will be governed by the general conditions set out in Section V as applicable.

28. Where an Officer, including a short service Officer, RN rating or RM other rank dies while serving on full pay on the Active List, his widow may be granted a gratuity equal to the terminal grant or gratuity for which the husband would have been eligible had he been invalided on the day of his death; or, if this is greater, a gratuity equal to twice the rate of retired pay or pension of her husband's rank for invaliding purposes appropriate to 34 years of service for an Officer, or 37 years of service for a RN rating or RM other rank.

29. Where an Officer, RN rating or RM other rank who on or after 1st April 1973 has retired with retired pay or been discharged to pension or has been invalided with invaliding retired pay or pension or with invaliding gratuity dies within one year of retirement or discharge his widow may be awarded a gratuity equal to the difference between the gratuity which would have been payable if he had died in service on the day of retirement or discharge and the amount of terminal grant or gratuity and any sum raised by commutation which he received.

30. Where an Officer, RN rating or RM other rank dies in service from causes accepted by the Department of Health and Social Security as being attributable to service, an additional gratuity may be paid to his widow at the following rates:

<i>Husband's Rank (for invaliding purposes)</i>	<i>Gratuity £</i>
Able Rating/Marine and below	464
Leading Rating/Corporal RM	564
Petty Officer/Sergeant RM	628
Chief Petty Officer/Colour Sergeant RM	673
Quartermaster Sergeant RM	699
Fleet Chief Petty Officer/Regimental Sergeant Major RM	742
Lieutenant RN and RM and below	846
Lieutenant-Commander RN/Captain RM/Chaplain with under 20 years' service	1,011
Commander RN/Major RM	1,273
Chaplain with 20 or more years' service	1,448
Principal Chaplain	1,506
Captain RN with under 6 years' service in the rank Lieutenant-Colonel RM	1,564
Captain RN with 6 or more years' service in the rank Colonel RM	1,733
Chaplain of the Fleet	1,846
Rear Admiral/Major-General RM	2,182
Vice-Admiral/Lieutenant-General RM	2,667
Admiral/General RM	3,516
Admiral of the Fleet	4,000

31. Where, had the Officer, RN rating or RM other rank been invalided, an adjustment would have been made to his award in respect of a gratuity or other non-effective payment previously received by him, an abatement may be made on that account in assessing the gratuity payable under Clauses 28 or 29.

32. Where the Officer, RN rating or RM other rank did not leave a widow eligible for an award under this section but a child or children (as defined in Clause 25, and fulfilling the conditions of that Clause), the Secretary of State for Defence may award a gratuity to the child or children. The total award shall equal that which would have been payable to a widow eligible for an award under this section and shall be apportioned among them at the discretion of the Secretary of State for Defence.

33. Where the Officer, RN rating or RM other rank leaves a widow and in addition a child or children (as defined in Clause 25 and fulfilling the conditions of that Clause) who are not living with or supported by her, the Secretary of State for Defence may divert part of the gratuity which would normally be payable to the widow for the benefit of all or any such children.

34. Where a woman member dies in circumstances in which the child of a male member would have been granted a gratuity under Clause 32 above and leaves a child or children (as defined in Clause 25 and fulfilling the conditions of that Clause), the Secretary of State for Defence may award a gratuity for the benefit of the child or children of such amount as he may determine.

35. Gratuities in respect of children may be issued to the widow or mother of the child, or other person responsible for the child's maintenance, or to the child direct as may be decided. They may where appropriate be issued in instalments or withheld for later payment.

36. Where death occurs in service and neither an eligible widow nor motherless child or children are left, a sum equal to the gratuity otherwise payable under Clause 28 to the widow may be payable to the estate of the deceased. This applies also to women Officers and ratings.

37. Gratuities under this Section shall not be subject to abatement in respect of any Naval debt due from the deceased Officer, RN rating or RM other rank, other than any abatement due under Clause 31.