

(b) 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.

21. 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.

22. Children's pensions may be paid in respect of not more than four eligible children. If more than four children should be eligible then the Secretary of State for Defence may apportion the maximum award admissible between them.

23. Subject to the conditions of this section an eligible widow and/or any eligible children, may be granted pen-

sions at the following annual rates:

	£
Widow with no dependent children ...	692.94
Widow with one dependent child ...	923.94
Widow with two dependent children ...	1,154.92
Widow with three dependent children ...	1,385.92
Widow with four dependent children ...	1,616.90

SECTION III

Gratuity to the Estate of a Reservist

24. Where a member of any of the Reserve Forces specified in paragraph 1 of this Schedule dies whilst undertaking peacetime reserve service from causes which are accepted as attributable to service by the Department of Health and Social Security and leaves no eligible dependants as defined in section II of this Schedule, a payment may be made to his estate at the rate shown in paragraph 25 below.

25. The rate of gratuity will be £461.98 with effect from 1st December 1978.

At the Court at Buckingham Palace, the 6th day of February 1979

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 it is expedient to provide for the increase of certain pensions granted to Maltese Naval Locally Engaged Personnel to correspond with the benefits provided, in the case of civil pensions, by the Pensions (Increase) Act 1971(1971 c. 56) as amended by the Superannuation Act 1972 (1972 c. 11).

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by the said Act and 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 (Maltese Locally Engaged Ratings' Service Pensions and Gratuities) Order 1979.

2. The rates of service pensions, terminal grants and service gratuities for Naval ratings locally engaged at Malta shall be as set out in the Schedules to this Order and shall have effect from the dates specified in the said Schedules.

N. E. Leigh

SCHEDULE I

PENSIONS

The following rates are common to Navy, Army and Air Force Maltese Locally Engaged Personnel who were discharged to pension on or after 31st July 1978:

	Annual rate on completion of 22 years' reckonable service £ Maltese	For years in excess of 22 years' reckonable service				
		23 years	24 years	25 years	26 years	27 years
Able Rating ...	664	694	724	754	784	814
Leading Rating ...	770	805	840	875	910	944
Petty Officer ...	860	899	938	977	1,016	1,056
Chief Petty Officer ...	916	958	1,000	1,041	1,083	1,125
Fleet Chief Petty Officer ...	985	1,030	1,074	1,119	1,164	1,209

Members of the Maltese Naval Locally Engaged Personnel of the Malta Port Division, hereinafter referred to as "Maltese Naval Forces" who have the right to pensions assessed in accordance with the United Kingdom 1971 Pension Code (updated to take account of the cost of living) for service before 26th March 1972 will retain this right if more favourable but will otherwise have the whole of their reckonable service assessed in accordance with the Maltese Naval Forces Pension Code current at the date of their discharge.

TERMINAL GRANT

Ratings discharged with entitlement to a service pension will be awarded a terminal grant at three times the annual rate of pension.

COMMUTATION OF PENSION

Maltese Naval Forces pensioners may apply for permission to commute part of their pension at any time after discharge, provided it is for a purpose which will be to the pensioner's distinct and permanent advantage. Approval to commute is at the discretion of the Defence Council, or the Admiralty Board on their behalf, on such terms and conditions as may be prescribed.

Maltese Naval Forces pensioners discharged from the Service on or after 31st March 1969, but before 1st January 1973 (i.e. those who were discharged on redundancy under the terms of the United Kingdom 1971 Pension Code) are not permitted to reduce their basic pension below £2.50 per week.

Maltese Naval Forces pensioners discharged after 31st March 1972, under the terms of the Maltese Naval Forces Pension Code, are not permitted to reduce their basic pension below £1.50 (Maltese) per week.