5. The allowance for unemployable pensioners has been increased from 20s. to 30s. a week. (Article 15.)

6. The maximum rate of the allowance for lowered standard of occupation (formerly called the Special Hardship Allowance) has been increased from 11s. 3d. to 20s. a week. (Article 16.)

7. An additional treatment allowance of 26s. a week is now payable where the pensioner is not eligible for National Insurance sickness benefit (or retirement pension or old age pension). The similar allowance payable to a pensioner who has to abstain from work for a prolonged period after undergoing in-patient treatment has been increased from 9s. to 26s. a week. (Articles 17 (3) and 18.)

8. The allowance for part-time treatment has been increased. (Article 19.)

9. Remarriage gratuities are now payable to widows who remarry after the 4th July, 1948. (Article 59.)

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## 6. POLISH FORCES SCHEME

# The Pensions (Polish Forces) Scheme, 1949

## 1949 No. 1058

*Made* - - - - 31*st May*, 1949
*Coming into Operation* 1*st June*, 1949

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With the consent of the Treasury, the Minister of Pensions, in exercise of the powers conferred upon him by section 1 of the Polish Resettlement Act, 1947(a), hereby makes the following Scheme :—

## THE SCHEME

Definitions.

**1.** In this Scheme the following expressions have, unless the context otherwise requires, the meanings hereby respectively assigned to them :—

(1) " the Act " means the Polish Resettlement Act, 1947(a) :

(2) " approved treatment " means a course of medical, surgical or rehabilitative treatment which it is certified that a member of the Polish forces should receive in consequence of any disablement in respect of which an award may be or has been made under this Scheme, but does not include any treatment which involves no or only occasional interruptions of the member's normal employment :

(3) " disablement " means physical or mental injury or damage, or loss of physical or mental capacity :

(4) " equivalent British rank " and " equivalent British status ", in relation to a member of the Polish forces, mean, respectively, the rank or status which the member is, by virtue of Article 6 of this Scheme, to be treated as holding for the purposes of this Scheme :

(5) " injury " includes wound or disease :

(6) " member of the Polish forces " means—

(*a*) a member of the Polish naval detachment mentioned in the agreement made between His Majesty's Government in the United Kingdom and the Government of Poland on the 18th November, 1939 ;

(*b*) a member of the Polish armed forces organised and employed under British command in pursuance of the agreement made as aforesaid on the 5th August, 1940 ;

(*c*) a member of the Polish resettlement forces ;

and, except where the context otherwise requires, any provision of this Scheme relating to a member of the Polish forces shall be construed as relating also to a woman member of the Polish forces and as relating to a person whose service as such a member or woman member has terminated :

(7) " the Minister " means the Minister of Pensions :

(8) " officer " means a male member of the Polish forces whose equivalent British rank is that of a commissioned officer of the British Army, or of a warrant officer or midshipman of the Royal Navy, and includes, unless the context otherwise requires, a woman member whose equivalent British status is the status equivalent to the rank of such an officer, and any reference to a commissioned officer or to a warrant officer (Royal Navy) or to any particular rank or status shall be construed accordingly :

(9) " the Polish resettlement forces " means—

(*a*) the Polish Resettlement Corps ;

(*b*) the Polish Resettlement Corps (Royal Air Force) ;

(*c*) the Polish Resettlement Section of the Auxiliary Territorial Service ;

(*d*) the Polish Resettlement Section of the Woman's Auxiliary Air Force :

(a) 10 & 11 Geo. 6. c. 19.

(10) "the Royal Warrant" means the Royal Warrant dated the 24th May, 1949(a), concerning retired pay, pensions and other grants for members of the military forces and of the nursing and auxiliary services thereof disabled, and for the wives, children and other dependants of such members deceased, in consequence of service after the 2nd September, 1939, as for the time being in force and any Royal Warrant substituted therefor:

(11) "service", in relation to a member of the Polish forces, means service as such a member under British command for any period after the 2nd September, 1939:

(12) "soldier" means a male member of the Polish forces who is not an officer and includes, unless the context otherwise requires, a woman member of the Polish forces whose equivalent British status is not that of an officer:

(13) "woman member of the Polish forces" means a member of the Polish forces who, being a woman, is—

(*a*) a medical or dental practitioner employed with the Polish forces with relative rank as an officer; or

(*b*) employed in the nursing service of the Polish forces; or

(*c*) enrolled in any women's section of the said forces including the Polish Resettlement Section of the Auxiliary Territorial Service and the Polish Resettlement Section of the Women's Auxiliary Air Force.

Interpretation.

**2.**—(1) The Interpretation Act, 1889(b), shall apply to the interpretation of this Scheme as it applies to the interpretation of an Act of Parliament.

(2) Where any matter is required by this Scheme to be certified and the matter involves a medical question, that matter shall be determined in accordance with a certificate on that question of a medical officer or board of medical officers appointed or recognised by the Minister for the purpose.

Persons to whom this Scheme applies.

**3.** This Scheme applies to members of the Polish forces whose disablement or death is due to service.

Entitlement.

**4.**—(1) Subject to the provisions of this Article, the disablement or death of a member of the Polish forces shall be accepted as due to service provided it is certified that—

(*a*) the disablement is due to an injury which—

(i) is attributable to service; or

(ii) existed before or arose during service and has been and remains aggravated thereby;

(*b*) the death was due to or substantially hastened by—

(i) an injury which was attributable to service; or

(ii) the aggravation by service of an injury which existed before or arose during service;

and provided further that where the death of the member occurs after the expiration of the period of seven years beginning with the end of his service he then was, or at any time previously thereto had been, in receipt of a pension under this Scheme in respect of an injury which was a cause of his death.

(a) Cmd. 7699. (b) 52 & 53 Vict. c. 63.

(2) A disablement or death shall be certified in accordance with paragraph (1) of this Article if it is shown by reliable corroborative evidence that the conditions set out therein and applicable thereto are fulfilled.

(3) The condition set out in subparagraph (*a*) (ii) of paragraph (1) of this Article, namely, that the injury on which the claim is based remains aggravated by service, shall not be deemed to be fulfilled unless the injury remains so aggravated at the time when the claim is made, but this paragraph shall be without prejudice, in a case where an award is made, to the subsequent operation of paragraph (7) of Article 2 of the Royal Warrant as applied by this Scheme in relation to that condition.

(4) For the purposes of this Article, the expression "pension" shall include a weekly allowance or gratuity, or an allowance in respect of a period of approved treatment.

Application of provisions of the Royal Warrant.

**5.**—(1) Where the disablement or death of a member of the Polish forces is due to service, provisions of the Royal Warrant set out in the Appendix to this Scheme shall apply to his case in the modified form in which they are therein set out and subject to the conditions, limitations and exceptions contained in this Scheme.

(2) The said provisions of the Royal Warrant so applied shall be construed as one with this Scheme.

Ranks of members of the Polish forces.

**6.** For the purposes of this Scheme, a member of the Polish forces shall be treated as holding on any date the rank or status in the British forces which is set out in the appropriate Table in the Schedule to this Scheme as the equivalent British rank of the rank he held on that date in the Polish forces.

Declarations and certificates which may be required.

**7.**—(1) Any person to whom a pension, allowance or gratuity has been awarded under this Scheme, and any person to whom payment of that pension, allowance or gratuity is to be made, shall, if and when required by the Minister so to do, subscribe such declaration as the Minister may from time to time direct.

(2) Where a declaration is subscribed under paragraph (1) of this Article by a person who is not the person to whom the pension, allowance or gratuity has been awarded, there shall be furnished, if and when required by the Minister, such certificate as the Minister may from time to time direct.

(3) If such a declaration or certificate as may have been required by the Minister under this Article to be subscribed or furnished is not subscribed or furnished, payment of the pension, allowance or gratuity shall be withheld until the requirements of the Minister under this Article have been satisfied.

Power to award lump sum payments.

**8.** Where, in the case of any person to whom a pension or allowance may be, or has been, awarded under this Scheme, the Minister is satisfied that the payment of a lump sum in lieu of that pension or allowance is justified by the circumstances of the case, the Minister may award to the person such lump sum as aforesaid, and any reference in this Scheme to a gratuity shall be construed as including a reference to a lump sum awarded under this Article.

Invalidity of assignments.

**9.** Any assignment of, or charge on, and any agreement to assign or charge, any pension, allowance or gratuity which may be, or has been, awarded under this Scheme shall, for the purposes of this Scheme, be void.

Awards not payable to or in respect of persons in Poland.

**10.** Where the Minister is satisfied that a person to or in respect of whom a pension, allowance or gratuity may be or has been awarded under this Scheme, is resident in Poland or, since the termination of the service of the member of the Polish forces concerned, has been or has become so resident, no award, payment or further payment, as the case may be, of such pension, allowance or gratuity shall be made and any award of pension, allowance or gratuity which has been made to or in respect of such a person shall be terminated finally.

Recall to the Polish resettlement forces.

**11.** The Minister may withhold or cancel any award which may be or has been made under this Scheme in respect of the disablement of a member of the Polish resettlement forces in any case where that member is recalled to paid service in those forces.

Duration.

**12.**—(1) Subject to the following provisions of this Article, payments under this Scheme shall be limited to such as fall due for payment before the 27th March, 1952, or before the expiration of such extended period after that date as the Minister, with the consent of the Treasury, may from time to time by order specify.

(2) Subject to the provisions of this Scheme and of the Royal Warrant as applied by this Scheme and to such conditions as the Minister may determine, payments which were due before the date or, as the case may be, within the extended period mentioned in paragraph (1) of this Article but not drawn before that date or during that extended period may be drawn thereafter.

(3) Where, after the date or the end of the extended period mentioned in paragraph (1) of this Article, proceedings were pending on a claim such proceedings may be completed and, if the claim is successful, payments may, subject to such conditions as the Minister may determine, be made of any sums which, under the provisions of this Scheme, would have fallen due before that date or, as the case may be, within the said extended period had the claim been then accepted.

(4) Any such order as is referred to in paragraph (1) of this Article may apply only to cases of any class or classes therein specified.

Administration of Scheme.

**13.** The Minister shall be the sole administrator of this Scheme and all questions with respect to the effect or operation of this Scheme shall be determined by the Minister, and his decision thereon shall be final and conclusive.

Commencement of this Scheme and revocation of previous Scheme.

**14.**—(1) Subject to the following provisions of this Article, this Scheme shall come into operation on the 1st June, 1949, in place of the War Pensions (Polish Forces) Scheme, 1947(**a**), which shall cease to have effect from the 1st June, 1949, in respect of any period after that date.

(2) Subject to the following provisions of this Article, each of those provisions of the Royal Warrant as applied by this Scheme which are specified in the first column of the following Table shall be deemed to have come into operation on the commencing date specified in the second column of that Table in relation to that provision, so, however, that no payment shall be made by virtue of any of the said provisions in respect of any period before the commencing date as specified in relation to that provision.

(**a**) S.R. & O. 1947 (No. 1508) I, p. 1638.

TABLE

| Article of the Royal Warrant as applied by this Scheme | Commencing Date |
|---|---|
| 1 (5) (*c*) ... ... ... ... ... ... | 1st April, 1947 |
| 1 (5) (*f*) and (*g*), 16 ... ... ... ... | 1st February, 1948 |
| 4 ... ... ... ... ... ... ... | 1st April, 1947 |
| 15 ... ... ... ... ... ... ... | 1st September, 1948 |
| 17 (2) ... ... ... ... ... ... | 18th August, 1948 |
| 17 (3) (*b*) & (*c*), 20 (4) & (5) ... ... ... | 1st December, 1948 |
| 18 ... ... ... ... ... ... ... | 1st May, 1948 |
| 20 (1) ... ... ... ... ... ... | 1st April, 1948 |
| 21 ... ... ... ... ... ... ... | 1st December, 1947 |

(3) Subject to the following provisions of this Article, Article 20 (3) of the Royal Warrant as applied by this Scheme shall be deemed to have come into operation on the 1st March, 1949:

Provided that—

(*a*) in relation to a soldier, the said Article shall, with the figure of 20s. substituted for the figure of 26s. wherever the latter appears, be deemed to have come into operation on the 18th August, 1948, and to have ceased to have effect on the 1st March, 1949;

(*b*) for the purposes of Article 21 and with the figure of 20s. substituted for the figure of 26s. wherever the latter appears, the said Article 20 (3) shall be deemed to have come into operation on the 1st December, 1947, and to have ceased to have effect on the 1st March, 1949.

(4) In relation to awards paid weekly the foregoing references to the 1st December, 1947, the 1st February, 1948, and the 1st April, 1948, shall be construed as references to the first normal weekly pay day for that award following the 1st December, 1947, the 1st February, 1948, or the 1st April, 1948, as the case may be.

(5) Any relevant provision of this Scheme shall apply to any case where the disablement or death of a member of the Polish forces was due to service before the commencing date specified in this Article in relation to that provision, whether or not an award has been made under the War Pensions (Polish Forces) Scheme, 1947(a).

(6) This Scheme may be cited as the Pensions (Polish Forces) Scheme, 1949.

Made by me, the Minister of Pensions, with the consent of the Treasury, this 31st day of May, 1949.

*H. A. Marquand,*
Minister of Pensions.

(a) S.R. & O. 1947 (No. 1508) I, p. 1638.

## SCHEDULE

### EQUIVALENT BRITISH RANKS OF MEMBERS OF THE POLISH FORCES

In relation to the rank of a member of the Polish forces set out in the first column, the equivalent British rank is the rank or status respectively set out in the second column.

Except where otherwise stated, the equivalent British rank is a rank in the British Army, and the equivalent British status is the status equivalent to such a rank.

Members of the Polish Air Force hold ranks of the same title and classification as members of the Royal Air Force, and consequently the equivalent British rank of a member of the Polish Air Force is the British Army rank relative to the appropriate Royal Air Force rank.

TABLE I

*Officers (Male)*

| Polish Rank | Equivalent British Rank |
|---|---|
| Admiral (Navy) ... ... ... ... ...<br>General Broni (Army) ... ... ... ...<br>Air Chief Marshal (Air Force) ... ... ... | General |
| Wice-admiral (Navy) ... ... ... ...<br>General Dywizji (Army) ... ... ... ...<br>Air Marshal (Air Force) ... ... ... ... | Lieutenant-General |
| Kontr-admiral (Navy) ... ... ... ...<br>General Brygady (Army) ... ... ... ...<br>Air Vice Marshal (Air Force) ... ... ... | Major-General |
| Air Commodore (Air Force) ... ... ... | Brigadier |
| Komandor (Navy) ... ... ... ... ...<br>Pulkownik (Army) ... ... ... ... ...<br>Group Captain (Air Force) ... ... ... | Colonel |
| Komandor-porucznik and<br>Komandor-podporucznik (Navy)... ... ...<br>Podpulkownik (Army) ... ... ... ...<br>Wing Commander (Air Force) ... ... ... | Lieutenant-Colonel |
| Kapitan marynarki (Navy) ... ... ...<br>Major (Army) ... ... ... ... ...<br>Squadron Leader (Air Force) ... ... ... | Major |
| Porucznik marynarki and<br>Podporucznik marynarki<br>after 18 months' service (Navy) ... ...<br>Kapitan (Rotmistrz) (Army) ... ... ...<br>Flight Lieutenant (Air Force) ... ... ... | Captain |
| Podporucznik marynarki up to 18 months' service<br>(Navy) ... ... ... ... ... ...<br>Porucznik (Army) ... ... ... ... ...<br>Flying Officer (Air Force) ... ... ... ... | Lieutenant |
| Chorazy marynarki after 3 years' service (Navy)<br>Podporucznik (Army) ... ... ... ...<br>Pilot Officer (Air Force) ... ... ... ... | Second Lieutenant |
| Chorazy marynarki with less than 3 years' service<br>(Navy) ... ... ... ... ... ... | Warrant Officer—Royal Navy |
| Podchorazy (Navy) ... ... ... ... | Midshipman—Royal Navy |

TABLE II

*Soldiers*

| Polish Rank | Equivalent British Rank |
|---|---|
| Chorazy (Army) ... ... ... ... ... | Warrant Officer Class I |
| Warrant Officer (Air Force) ... ... ... | |
| Starszy Sierzant (Army) ... ... ... ... | Warrant Officer Class II |
| Warrant Officer 2nd Class (Air Force) ... ... | |
| Starszy bosman (Navy) ... ... ... ... | Staff Serjeant |
| Bosman (Navy) ... ... ... ... ... | |
| Sierzant (Army) ... ... ... ... ... | |
| Flight Sergeant (Air Force) ... ... ... | |
| Bosmanmat (Navy) ... ... ... ... | Serjeant |
| Plutonowy (Army) ... ... ... ... ... | |
| Sergeant (Air Force) ... ... ... ... | |
| Mat (Navy) ... ... ... ... ... ... | Corporal |
| Kapral (Army) ... ... ... ... ... | |
| Corporal (Air Force) ... ... ... ... | |
| Starszy marynarz (Navy) ... ... ... ... | Private |
| Marynarz (Navy) ... ... ... ... ... | |
| Starszy szeregowiec (Army) ... ... ... | |
| Szeregowiec (strzelec) (Army) ... ... ... | |
| Leading Aircraftman & Aircraftman (Air Force) | |

TABLE III

*Women Members*

| Polish Rank | Equivalent British Status |
|---|---|
| Pulknownik ... ... ... ... ... ... | Member with status above that of Lieutenant-Colonel |
| Podpulkownik ... ... ... ... ... | Member with status of Lieutenant-Colonel |
| Naczelna Siostra ... ... ... ... ... | |
| Major ... ... ... ... ... ... | Member with status of Major |
| Przelozona Siostra ... ... ... ... ... | |
| Inspektorka ... ... ... ... ... ... | |
| Siostra ... ... ... ... ... ... | Member with other officer status |
| Zastepczyni przelozonej ... ... ... ... | |
| Komendantka Kompanii ... ... ... ... | |
| Komendantka Plutonu ... ... ... ... | |
| Kapitan ... ... ... ... ... ... | |
| Porucznik ... ... ... ... ... ... | |
| Podporucznik ... ... ... ... ... | |
| Starszy Sierzant ... ... ... ... ... | Member with status of Staff Serjeant |
| Sierzant ... ... ... ... ... ... | ,, ,, ,, Serjeant |
| Plutonowy ... ... ... ... ... ... | ,, ,, ,, Corporal |
| Kapral ... ... ... ... ... ... | |
| Starsza ochotniczka ... ... ... ... | ,, ,, ,, Private |
| Ochotniczka ... ... ... ... ... | |

## APPENDIX

### PROVISIONS OF THE ROYAL WARRANT APPLIED BY THE SCHEME

### PART I.—DEFINITIONS AND INTERPRETATION

**1. Definitions.**—In this Royal Warrant the following expressions have, unless the context otherwise requires, the meanings hereby respectively assigned to them:—

(1) "adult dependant", in relation to a member of the Polish forces, for the purposes of Articles 17 and 20, means—

(*a*) a person residing in the member's home who is related to the member in any of the following ways and fulfils the following conditions, namely—

(i) a grandfather or a father (including a stepfather) who is incapable of self-support;

(ii) a grandmother or a mother (including a stepmother) who is either a widow or is married to a husband who is incapable of self-support or has never been married;

(iii) a daughter (including a stepdaughter) who has attained the child's age limit or a sister (including a half-sister or stepsister) who has attained the age of 16 years and has never been married or is married to a husband who is incapable of self-support or is a widow;

(iv) a brother (including a half-brother or stepbrother) who has attained the age of 16 years and is incapable of self-support; or

(*b*) an adult female person who, in the member's home, looks after any child of the member in respect of whom an allowance is being paid under Article 13, 17 or 20;

being in each case a person who is in receipt of regular and substantial support or benefit from the member:

(2) "apprentice" means a person who is undergoing full time training for any trade, business, profession, employment or vocation and is receiving not more than nominal wages:

(3) "approved institutional treatment" means approved treatment in a hospital or similar institution:

(4) "approved treatment" has the meaning assigned to it in Article 1 (2) of the Scheme:

(5) "child", in relation to a member of the Polish forces, means—

(*a*) a legitimate child of the member;

(*b*) a legitimated child of the member;

(*c*) an illegitimate child of the member, who did not become legitimated upon the marriage of the member to the child's mother or father;

(*d*) an illegitimate child of a male member, whose mother is, or was at the date of her death, an unmarried dependant living as a wife of the member;

(*e*) an illegitimate child of the member, to whom subparagraph (*c*), (*d*) or (*h*) of this paragraph does not apply, who was born not later than nine months after the material date and who—

(i) where the member is disabled, has been regularly maintained in whole or in part by the member up to the date of any award under this Royal Warrant in respect of his disablement and, where the award is reviewed, up to the date of the review;

(ii) where the member is dead and the child was born before his death, was regularly maintained in whole or in part by the member up to the date of his death or, where the deceased was a male member, was the subject of an affiliation order which was in force at the date of his death;

(*f*) a stepchild of the member, who, where the member is disabled, is being regularly maintained in whole or in part by him, or who, where the member is dead, was regularly so maintained by the member up to the date of his death;

(*g*) a legally adopted child of the member;

(*h*) a foster-child, that is to say, a child who—

(i) was on the material date being brought up and wholly or mainly maintained by the member as his child; and

(ii) was so brought up and maintained for not less than six months (or such lesser period as the Minister may determine in the exceptional circumstances of any case) prior to the date on which the member's service terminated; and

(iii) has continued to be so maintained, where the member is disabled, up to the date of any award under this Royal Warrant in respect of his disablement and, where the award is reviewed, up to the date of the review or, where the member is dead, up to the date of his death:

(6) "child's age limit", in relation to a child or juvenile dependant of a member of the Polish forces, means—

(*a*) where the member was an officer or warrant officer, class I, the age of 18 years; or

(*b*) in any other case, the age of 16 years:

(7) "dependent", in relation to the dependency of a person upon a deceased member of the Polish forces before his death, means dependent by reason of the receipt of regular and substantial support or benefit from the member—

(*a*) where his death occurred during his service, throughout the period of six months ending with his death; or

(*b*) in any other case, throughout the period beginning six months prior to the termination of his service and ending with his death;

or throughout such other period as the Minister may determine in the exceptional circumstances of any case:

(8) "disablement" means physical or mental injury or damage, or loss of physical or mental capacity, and "disabled" shall be construed accordingly:

(9) "eligible dependant" in relation to a course of approved treatment, means a person who is an eligible member of the family or who would be an eligible member of the family if, for any date mentioned in paragraph (5) of this Article, and for the date specified in paragraph (29) of this Article as the terminating date of the period therein mentioned, there were substituted the date of the commencement of that course of treatment:

(10) "eligible member of the family", in relation to a member of the Polish forces, means the wife, unmarried dependant living as a wife, or a child, of the member:

(11) (*Not applicable*):

(12) "incapable of self-support", in relation to any person, means incapable of supporting himself solely by reason of—

(*a*) physical or mental infirmity of a permanent or prolonged nature; or

(*b*) old age; or

(*c*) being a juvenile dependant:

(13) "injury" includes wound or disease:

(14) "juvenile dependant", in relation to a deceased member of the Polish forces, means a brother, sister, half-brother, half-sister, stepbrother, stepsister or grandchild of the member, who has not attained the child's age limit:

(15) "material date", in relation to any child of a member of the Polish forces to whom subparagraph (*e*) or (*h*) of paragraph (5) of this Article applies, means the date on which the member sustained the wound or injury, or was first removed from duty on account of the disease, on which the claim under this Royal Warrant in respect of his disablement or death is based, or, if there was no such occurrence, the date of the termination of his service:

Provided that, where the member suffered aggravation of the injury (being aggravation which, in the case of death, persisted until death) as a result of service—

(*a*) in the case of a child to whom subparagraph (*e*) of paragraph (5) of this Article applies, after or within nine months before the birth of the child; or

(*b*) in the case of a foster-child, after the date on which the member began to bring up and maintain the child as his child;

(*c*) in the case of a husband, after the date of his marriage to the member;

the expression "material date" in relation to that child shall mean the date on which the member's service terminated:

(16) "member of the Polish forces" has the meaning assigned to it in Article 1 (6) of the Scheme:

(17) (*Not applicable*):

(18) "the Minister" means the Minister of Pensions:

(19) "officer" has the meaning assigned to it in Article 1 (8) of the Scheme:

(20) "old age", in relation to any person, means the attainment of the age of 65 years by a male person or of the age of 60 years by a female person:

(21) "other dependant", in relation to a deceased member of the Polish forces, means a grandparent, step-parent, brother, sister, half-brother, half-sister, stepbrother, stepsister or grandchild of the member:

(22) "parent", in relation to a deceased member of the Polish forces, means—

(*a*) a person of whom the member was a legitimate, legitimated or illegitimate child; or

(*b*) a person who had legally adopted the member; or

(*c*) a person who, for a period of five years (or such lesser period as the Minister may determine in the exceptional circumstances of any case) during the minority of the member, acted in the place of a parent to, and wholly or mainly maintained, the member; or

(*d*) a person who, for such period as is mentioned in subparagraph (*c*) of this paragraph, was the spouse (not being a separated spouse) of a person fulfilling the conditions set out in that subparagraph:

(23) (*Not applicable*):

(24) "public funds" means moneys provided by Parliament or the Parliament of Northern Ireland, moneys the payment whereof is a charge on the Consolidated Fund of the United Kingdom or of Northern Ireland, moneys provided by any general or local rate or by a fund established under or by virtue of any public, general or local Act, and moneys payable under any enactment, ordinance, regulation or other instrument forming part of the law of any place outside the United Kingdom:

(25) "service" has the meaning assigned to it in Article 1 (11) of the Scheme:

(26) "soldier" has the meaning assigned to it in Article 1 (12) of the Scheme:

(27) "student" means a person who is receiving full time instruction at a university, college, secondary school or technical school, or at any other establishment which, in the opinion of the Minister, is a comparable educational establishment:

(28) "termination", in relation to service as a member of the Polish forces, means termination of paid service as such a member by reason of retirement, discharge, demobilisation, transfer to the Reserve or in any other manner:

Provided that where the member renders service during more than one period, it means the date, having regard to the foregoing provisions of this paragraph, of the end of the period which is relevant in the circumstances of his case;

and "terminated" shall be construed accordingly:

(29) "unmarried dependant living as a wife", in relation to a member of the Polish forces, means a person wholly or substantially maintained by the member on a permanent bona fide domestic basis throughout the period beginning six months prior to the commencement of his service and continuing, where the member is disabled, up to the date of any award under this Royal Warrant in respect of his disablement and, where the award is reviewed, up to the date of the review or, where the member is dead, up to the date of his death:

(30) "woman member of the Polish forces" has the meaning assigned to it in Article 1 (13) of the Scheme:

**2. Interpretation.**—(1) The Interpretation Act, 1889(a), shall apply to the interpretation of this Royal Warrant as it applies to the interpretation of an Act of Parliament.

(2) References in this Royal Warrant to any enactment shall, unless the context otherwise requires, be construed as references to that enactment, as amended by or under any other enactment or order, and to any other enactment substituted therefor.

(3) Where any matter is required by this Royal Warrant to be certified, and the matter involves a medical question, that matter shall be determined in accordance with a certificate on that question of a medical officer or board of medical officers appointed or recognised by the Minister for the purpose.

(4) For the purposes of this Royal Warrant, a person shall be treated as having attained the age of 16 years at the commencement of the sixteenth anniversary of the day of his birth and similarly with respect to any other age.

(5) For the purposes of this Royal Warrant—

(*a*) a person may be treated as being in receipt of any pension, allowance or other continuing benefit awarded to him under this Royal Warrant notwithstanding that the pension, allowance or other benefit, or any part thereof, is, by virtue of any provision of this Royal Warrant, being administered or otherwise applied for any purpose or paid to some other person;

(*b*) where an allowance awarded in respect of a child under this Royal Warrant is withheld or reduced under Article 55, a widow or an unmarried dependant living as a wife of a deceased member of the Polish forces who has the child under her control or in her charge may be treated as being in receipt of the allowance notwithstanding that it is so withheld or reduced.

(6) For the purposes of this Royal Warrant, any question as to whether a person—

(*a*) is the legally adopted child of a member of the Polish forces, or a person who has legally adopted a member of the Polish forces, shall be determined as if any legal adoption effected by the spouse (not being a separated spouse) of the member or person had been effected by the member or person; or

(a) 52 & 53 Vict. c. 63.

(*b*) is the grandparent, step-parent, brother, sister, half-brother, half-sister, stepbrother, stepsister, daughter or grandchild of a member of the Polish forces, shall be determined as if—

(i) any child legally adopted by two spouses jointly, or by one of two spouses (not being separated spouses), were the legitimate child of those spouses;

(ii) any child legally adopted by a person having no spouse, or separated from his spouse, were the legitimate child of that person;

(iii) any illegitimate child had been born the legitimate child of his father and mother.

(7) Any condition or requirement laid down in this Royal Warrant for an award, or the continuance of an award, or relating to the rate or amount of an award, shall, except where the context otherwise requires, be construed as a continuing condition or requirement, and accordingly the award, rate or amount shall cease to have effect if and when the condition or requirement ceases to be fulfilled and shall be subject to variation from time to time in accordance with the condition or requirement.

## PART II.—GENERAL PRINCIPLES OF AWARDS

**3. Basic condition of awards.**—Under this Royal Warrant awards may be made where the disablement or death of a member of the Polish forces is due to service.

**4. Entitlement.**—(*See Article 4 of the Scheme.*)

**5. Entitlement.**—(*See Article 4 of the Scheme.*)

**6. Serious negligence or misconduct.**—The Minister may withhold, cancel or reduce any award which may be or has been made under this Royal Warrant in respect of the disablement or death of a member of the Polish forces in any case in which the injury on which the claim to the award is based was caused or contributed to by the serious negligence or misconduct of the member, or in any case in which the death of the member was so caused or contributed to.

**7. Rank or status.**—(1) Where, for the purposes of any award under this Royal Warrant in respect of the disablement or death of a member of the Polish forces, the member's rank has to be determined, it shall be determined by reference to the relevant rank of the member.

(2) Subject to the following provisions of this Article, the relevant rank of a member shall be whichever is the highest of the following ranks, namely—

(*a*) the substantive or war substantive rank held by him on the date on which he was last on full pay prior to the termination of his service;

(*b*) the substantive, war substantive, paid temporary or paid acting rank held by the member on any of the following dates, namely—

(i) the date on which he sustained the wound or injury, or was first removed from duty on account of the disease, on which the claim to the award is based;

(ii) where the member suffered aggravation of the injury on which the claim to the award is based (being aggravation which, in the case of death, persisted until death) as a result of service after the date mentioned in subparagraph (*b*) (i) of this paragraph, the date of the removal from duty on account of the aggravation, or, if there was no such removal from duty, the date of the termination of his service.

(3) (*Not applicable.*)

(4) Where an award is payable in respect of the disablement or death of a member by reason of more than one injury, and different ranks would, under the foregoing provisions of this Article, be relevant to the different causes leading to the disablement or death—

(*a*) an award under Part III or IV of this Royal Warrant shall be at a composite rate having regard to the disabling effect of each such cause and the relevant rank appropriate thereto; and

(*b*) an award under Part V of this Royal Warrant shall be based upon the highest of those different relevant ranks.

(5) (*Not applicable.*)

(6) (*Not applicable.*)

(7) (*Not applicable.*)

(8) The foregoing provisions of this Article shall, where appropriate, apply in relation to women members of the Polish forces, any reference to a rank being treated where necessary as a reference to a status equivalent to that rank.

## PART III.—AWARDS IN RESPECT OF DISABLEMENT

**8. Application of Part III.**—(1) Under this Part of this Royal Warrant awards may be made in respect of the disablement of a member of the Polish forces which is due to service.

(2) (*Not applicable.*)

**9. General conditions of awards in respect of disablement.**—(1) An award in respect of the disablement of a member of the Polish forces shall not be made to take effect before the termination of his service.

(2) The Minister may withhold or reduce an award in respect of the disablement of an officer whose service is terminated voluntarily or on account of misconduct.

(3) For the purposes of an award in respect of disablement (which may be made provisionally or upon any other basis), the degree of that disablement shall be assessed on an interim basis, unless the member's condition permits a final settlement of the extent, if any, of that disablement.

**10. Determination of degree of disablement.**—(1) Subject to the following provisions of this Royal Warrant, the degree of the disablement due to service of a member of the Polish forces shall be assessed by making a comparison between the condition of the member as so disabled and the condition of a normal healthy person of the same age and sex, without taking into account the earning capacity of the member in his disabled condition in his own or any other specific trade or occupation, and without taking into account the effect of any individual factors or extraneous circumstances:

Provided that, where such disablement is due to more than one injury, a composite assessment of the degree of disablement shall be made by reference to the combined effect of all such injuries.

(2) The degree of disablement assessed as aforesaid shall be certified by way of a percentage, total disablement being represented by 100 per cent. (which shall be the maximum assessment) and a lesser degree being represented by such percentage as bears to 100 per cent. the same proportion as the lesser degree of disablement bears to total disablement, so, however, that a degree of disablement of 20 per cent. or more shall be certified at a percentage which is a multiple of ten, and a degree of disablement which is less than 20 per cent. shall, except in a case to which Table 1 in the Third Schedule applies, be certified in the manner required by Table 2 or 3 in that Schedule.

(3) Where a disablement is due to an injury specified in the First Schedule or is a disablement so specified, and, in either case, has reached a settled condition, the degree of that disablement shall, in the absence of any special features, be certified for the purposes of this Article at the percentage specified in that Schedule as appropriate to that injury or to that disablement.

(4) Where a member of the Polish forces has sustained a minor injury specified in Table 1 in the Third Schedule as well as some other disablement due to service, the degree of which is less than 100 per cent., and a composite assessment of the degree of the disablement from both causes is no higher than the assessment for the other disablement alone, this Article shall have effect so as to authorise an award under Article 12 in respect of the minor injury as well as an award under Article 11 or 12 in respect of the other disablement.

(5) The degree of disablement certified under this Article shall be the degree of disablement for the purpose of any award in respect thereof under this Royal Warrant.

**11. Pensions for disablement.**—A member of the Polish forces the degree of whose disablement is not less than 20 per cent. may be awarded a pension at whichever of the rates set out in the Tables in the Second Schedule is appropriate to his rank or status and the degree of his disablement.

**12. Gratuities and weekly allowances for minor disablement.**—A member of the Polish forces the degree of whose disablement is less than 20 per cent. may be awarded a gratuity, or a weekly allowance with or without a terminal gratuity, in accordance with the appropriate Table in the Third Schedule.

**13. Allowances for eligible members of the family.**—(1) Where a member of the Polish forces is awarded a pension under Article 11, allowances in respect of the eligible members of the family may be awarded in accordance with the following provisions of this Article.

(2) An allowance under this Article in respect of an eligible member of the family shall be at such proportion of the rates set out in the following Table as corresponds to the degree of the disablement which may give title to that allowance:—

TABLE

| Eligible member of the family | Rate for 100 per cent. disablement | |
|---|---|---|
| | Officers (yearly rate) | Other ranks (weekly rate) |
| | £ | s. d. |
| (*a*) wife or unmarried dependant living as a wife ... ... ... ... ... ... | 36 | 10 0 |
| (*b*) children:— | | |
| (i) if an allowance under (*a*) is in issue— | | |
| each child ... ... ... | 30 | 7 6 |
| (ii) if no allowance under (*a*) is in issue— | | |
| first child ... ... ... ... | 36 | 10 0 |
| each other child ... ... ... | 30 | 7 6 |

(3) The award, continuance and amount of any allowance in respect of a wife or child who is living apart from the member shall be at the discretion of the Minister.

(4) (*Not applicable.*)

(5) No allowance shall be granted in respect of an unmarried dependant living as a wife unless she has in her charge a child of the member in respect of whom an allowance may be awarded under this Article.

(6) Where a woman member has a husband no allowance shall be awarded to her in respect of any child of whom the husband is the father, or who has been legally adopted by the husband.

(7) Subject to the provisions of paragraph (8) of this Article, an award of an allowance under this Article shall not be made or continued in respect of a child who has attained the child's age limit.

(8) An award of an allowance under this Article may be made or continued in respect of a child who has attained the child's age limit where that child—

(*a*) is a student or an apprentice; or

(*b*) is incapable of self-support by reason of an infirmity which arose before he attained the child's age limit;

and the circumstances of the case are, in the opinion of the Minister, such as to justify the award or its continuance.

**14.** (*Not applicable.*)

**15. Allowances for constant attendance.**—Where a member of the Polish forces is in receipt of a pension under Article 11 in respect of disablement the degree of which is 100 per cent., and it is shown to the satisfaction of the Minister that constant attendance on the member is necessary on account of the disablement, he may be awarded an allowance at a rate not exceeding £100 a year in the case of an officer or 20s. a week in any other case:

Provided that in an exceptional case of very severe disablement the allowance may, subject to such conditions as the Minister may determine, be increased to a rate not exceeding £104 a year in the case of an officer or 40s. a week in any other case.

**16. Allowances for wear and tear of clothing.**—(1) Where a member of the Polish forces who is in receipt of a pension under Article 11 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, namely:—

(*a*) where he wears a single artificial limb (other than a tilting-table limb), £5 a year; or

(*b*) where he wears a tilting-table limb or more than one artificial limb, £8 a year.

(2) In any other case in which the Minister 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 £8 a year may be awarded.

**17. Allowances for unemployable pensioners.**—(1) *Eligibility.* Where a member of the Polish forces is in receipt of a pension under Article 11 in respect of disablement so serious as to make him unemployable, he may be awarded allowances in accordance with such of the provisions of this Article as may be appropriate in his case:

Provided that—

(*a*) such a member may be deemed to be unemployable although in receipt of earnings which are, in the opinion of the Minister, unlikely to exceed £52 a year;

(*b*) such a member shall not be eligible for any award under this Article if he is in receipt of a retirement pension (not being contributory old age pension) under the National Insurance Act, 1946(**a**), or under any legislation in Northern Ireland corresponding to that Act or under the law of any place outside the United Kingdom which, in the opinion of the Minister, is analogous to that Act.

(2) *Supplementation of pension.* A member of the Polish forces coming within paragraph (1) of this Article may be awarded an allowance, by way of supplement to his pension, at the rate of £78 a year in the case of an officer, or 30s. a week in any other case:

Provided that, in computing the said rates, account shall be taken, to such extent as the Minister may think fit, of any of the following benefits for which the member may be eligible—

(*a*) sickness or disablement benefit under the law of any place outside the United Kingdom which, in the opinion of the Minister, is analogous to benefits under the National Insurance Act, 1946(**a**), or under any corresponding legislation in Northern Ireland;

(**a**) 9 & 10 Geo. 6. c. 67.

(*b*) a contributory old age pension or a widow's basic pension under the National Insurance Act, 1946(a), or under any legislation in Northern Ireland corresponding to that Act or under the law of any place outside the United Kingdom which, in the opinion of the Minister, is analogous to that Act.

(3) *Additional allowances for dependants.* Where a member of the Polish forces is awarded an allowance in accordance with paragraph (2) of this Article, there may also be awarded to that member additional allowances in accordance with the following provisions of this paragraph—

(*a*) Where an allowance has been awarded under Article 13 in respect of a wife or unmarried dependant living as a wife, and the degree of the disablement of the member is less than 100 per cent., that allowance may be increased to the rate which would be appropriate under that Article if the degree of the disablement of the member were 100 per cent.

(*b*) Where an allowance has been awarded under Article 13 in respect of a wife or unmarried dependant living as a wife, and the degree of the disablement of the member is 100 per cent., or where an allowance for such a person has been increased under subparagraph (*a*) of this paragraph, the rate of the allowance may be increased, or further increased, as the case may be, by £6 a year in the case of an officer, or 6s. a week in any other case, if the Minister 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 Article 13 in respect of a wife or unmarried dependant living as a wife, an allowance may be awarded in respect of an adult dependant at the rate of £42 a year in the case of an officer, or 16s. a week in any other case, if the Minister thinks fit having regard to the financial circumstances of the person in respect of whom the allowance is claimed:

Provided that—

(i) the member of the Polish forces shall not be awarded an allowance in respect of more than one adult dependant;

(ii) where an additional allowance is awarded under this paragraph and an allowance is payable in respect of a first child under (*b*) (ii) of the Table in Article 13 (2), or under the said (*b*) (ii) as increased by subparagraph (*d*) (i) of this paragraph, or under subparagraph (*d*) (ii) of this paragraph, as the case may be, the aggregate of these allowances shall not exceed £72 a year in the case of an officer or 23s. 6d. a week in any other case.

(*d*) (i) Where an allowance has been awarded under Article 13 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 Article if the degree of the disablement of the member were 100 per cent.;

(ii) An allowance may be awarded in respect of any child, not being an eligible member of the family, who should, in the opinion of the Minister, be treated as such having regard to the child's relationship to or connection with the member and the other circumstances of the case:

Provided that any such allowance shall be at the rate and subject to the conditions which would be appropriate under Article 13 if the child were an eligible member of the family and the degree of disablement of the member were 100 per cent.

**18. Allowances for lowered standard of occupation.**—(1) Where a member of the Polish forces is in receipt of a pension under Article 11 in respect of disablement the degree of which is less than 100 per cent. or has been granted an award under Article 12 in respect of a minor disablement and in either case

(a) 9 & 10 Geo. 6. c. 67.

the disablement is such as to render him incapable, and likely to remain permanently incapable, of following the occupation which was his regular occupation before his service and incapable of following any other occupation which is of an equivalent standard and is suitable in his case, he may be awarded an allowance at a rate not exceeding 20s. a week, so, however, that the aggregate rate of his pension under Article 11 together with the allowance under this Article shall not exceed the rate of award which would have been appropriate in his case under Article 11 if the degree of his disablement had been 100 per cent.

(2) This Article shall not apply to a member of the Polish forces who is eligible for an allowance under Article 17 (2).

## PART IV.—TREATMENT AND REHABILITATION

**19. Application and interpretation of Part IV.**—Under this Part of this Royal Warrant awards may be made where the disablement of a member of the Polish forces is due to service and any condition applicable to an award under Part III shall, where appropriate, be applicable to an award under this Part.

**20. Treatment allowances.**—(1) A member of the Polish forces may be awarded in respect of any period during which he receives approved treatment, a treatment allowance consisting of a personal allowance in respect of himself and any additional allowance which may be appropriate in his case in accordance with the following provisions of this Article:

Provided that—

(*a*) a treatment allowance shall be subject to such deductions or adjustments as the Minister may think appropriate having regard to all the circumstances of the case;

(*b*) where a member is in receipt of a treatment allowance under this Article in respect of any period, no payment shall be made in respect of that period of any award under Part III except an award under Article 16 or 17 (2) or, in the case of treatment other than approved institutional treatment, under Article 15.

(2) The personal allowance in respect of the member shall be awarded at the rate of pension which would be appropriate under this Royal Warrant if the degree of that member's disablement were 100 per cent.

(3) The allowance under paragraph (2) of this Article may be increased by whichever of the following amounts is appropriate, namely—

(*a*) if he is not eligible for any such benefit as is mentioned in paragraph (6) of this Article, 26s. a week;

(*b*) if he is eligible for such benefit at a lower rate than 26s. a week, the amount of the difference between that lower rate and 26s. a week:

Provided that this paragraph shall not apply to—

(i) a member who is in receipt of an allowance under Article 17 (2); or

(ii) a member who is receiving approved institutional treatment and is not entitled to an allowance under the following provisions of this Article.

(4) An additional allowance may be awarded in respect of an eligible dependant at the rate and subject to the conditions which would be appropriate under Article 13 if that dependant were an eligible member of the family and the degree of the member's disablement were 100 per cent.:

Provided that, where that eligible dependant is a wife or an unmarried dependant living as a wife, the rate of the additional allowance in respect of that person may be increased to the rate of £42 a year in the case of an officer, or the rate of 16s. a week in any other case, as the Minister may think fit having regard to the financial circumstances of that person.

(5) Where a member of the Polish forces is not in receipt of an allowance under pararaph (4) of this Article in respect of a wife or an unmarried dependant living as a wife, an additional allowance may be awarded in respect of an adult dependant at the rate of £42 a year in the case of an officer, or the rate of 16s. a week in any other case, as the Minister may think fit having regard to the financial circumstances of that adult dependant:

Provided that—

(*a*) the member of the Polish forces shall not be awarded an additional allowance in respect of more than one adult dependant;

(*b*) where an additional allowance is awarded under this paragraph, the aggregate of that allowance and any allowance under paragraph (4) of this Article in respect of any child shall not exceed £72 a year in the case of an officer, or 23s. 6d. a week in any other case.

(6) The benefit referred to in paragraph (3) of this Article is personal benefit by way of injury benefit under the National Insurance (Industrial Injuries) Act, 1946(**a**), sickness benefit, retirement pension or contributory old age pension under the National Insurance Act, 1946(**b**), or under any legislation in Northern Ireland corresponding to that legislation or under the law of any place outside the United Kingdom which in the opinion of the Minister is analogous to that legislation.

**21. Allowances where prolonged abstention from work is necessary following approved institutional treatment.**—(1) Where it is certified that a member of the Polish forces should on completion of a course of approved institutional treatment abstain from work for a prolonged period in consequence of the condition which necessitated that treatment, he may be treated as if he were eligible throughout that period for a treatment allowance under Article 20.

(2) This Article shall not apply to a member of the Polish forces who is in receipt of an allowance under Article 17 (2).

**22. Allowances for part-time treatment.**—Where a member of the Polish forces receives treatment which would be approved treatment but for the fact that it involves only occasional interruptions of the member's normal employment, a treatment allowance may be awarded to the member at such rate, not exceeding 21s. in respect of any one day (subject to a maximum payment of 30s. in respect of any one week), as the Minister may think appropriate having regard to any loss of remunerative time by the member as the result of those interruptions:

Provided that the rate of a treatment allowance awarded to a member under this Article in respect of any period of a week or less shall not exceed the amount by which the weekly value of the member's existing award under Part III (excluding any award under Article 15, 16 or 17 (2)) falls short of the weekly value of the award which would have been appropriate in the case of that member under Article 20 if he had been eligible for an award under that Article.

**23. Medical expenses.**—Any necessary expenses in respect of the medical, surgical or rehabilitative treatment of a member of the Polish forces not otherwise provided for may be defrayed by the Minister under such conditions and up to such amount as he may determine.

## PART V.—AWARDS IN RESPECT OF DEATH

**24. Application of Part V.**—Under this Part of this Royal Warrant awards may be made in respect of the death of a member of the Polish forces which is due to service.

**25. General conditions of awards in respect of death.**—Where, after the death of a member of the Polish forces, any allowance, grant or other payment out of public funds is paid for any period to or in respect of any person in

(**a**) 9 & 10 Geo. 6. c. 62. (**b**) 9 & 10 Geo. 6. c. 67.

continuation of any payment made during the member's lifetime in respect of his service as a member, no pension, allowance or other grant under this Part shall be paid for that period to or in respect of that person:

Provided that, where the aggregate amount of any pension, allowance or other grant which might, but for this paragraph, have been paid under this Part is in excess of the aggregate amount of the payments so made out of public funds, an amount equal to that excess may be paid.

**26. Pensions to widows.**—(1) The widow of an officer above the rank of Major may be awarded a pension at whichever of the rates set out in column (3) in Table 1 in the Fourth Schedule is appropriate in her case.

(2) The widow of a Major, Captain, Lieutenant or Second Lieutenant or the widow of a soldier may be awarded a pension—

(*a*) at whichever of the rates specified in column (2) in Table 1 or column (2) in Table 2 in the Fourth Schedule is appropriate in her case—

(i) where she has attained the age of 40 years; or

(ii) where she is in receipt of an allowance awarded in respect of a child of the officer or soldier under Article 32, 34 or 36, and also, where the child dies before attaining the child's age limit, during the period of thirteen weeks from the date of the child's death; or

(iii) where she is incapable of self-support;

(*b*) in any other case, at whichever of the rates specified in column (3) in Table 1 or column (3) in Table 2 in the Fourth Schedule is appropriate in her case.

(3) A widow of a member of the Polish forces shall only be eligible for a pension under this Article if she was not separated from the member at the date of his death or if, being then separated from him, the separation was, in the opinion of the Minister, caused by his mental instability arising from disablement due to service.

**27. Killed in action gratuities.**—Where an officer has been killed in action or while on flying duty or while being carried on duty in aircraft under proper authority, or has in such circumstances sustained wounds or injuries from which he died within seven years of sustaining them, his widow may, if she is a widow eligible for a pension under Article 26, be awarded a gratuity in accordance with the Table in the Fifth Schedule.

**28. Pensions to widows who were separated.**—(1) The widow of a member of the Polish forces, not being a widow eligible for a pension under Article 26, may be awarded a pension if—

(*a*) she was entitled to periodical payments from her husband under a maintenance or separation order and was, throughout the period of six months expiring on the date of his death or such other period as the Minister may determine in the exceptional circumstances of any case, either receiving those payments or taking reasonable steps to obtain them; or

(*b*) her husband was, throughout any such period as is mentioned in sub-paragraph (*a*) of this paragraph, contributing to a reasonable extent to her support.

(2) The rate of a pension awarded to a widow under this Article shall be at the discretion of the Minister, but shall not exceed—

(*a*) where the conditions specified in paragraph (1) (*a*) of this Article are fulfilled, the rate of the payments which she was entitled to receive from her husband; or

(*b*) where the conditions specified in paragraph (1) (*b*) of this Article are fulfilled, the average amount that her husband was contributing to her support throughout any such period as is mentioned in paragraph (1) (*a*) of this Article;

and shall not in either case exceed the rate of the pension under Article 26 of which she would be in receipt if she were a widow eligible for a pension under that Article.

**29. Pensions to unmarried dependants living as wives.**—(1) An unmarried dependant living as a wife of a member of the Polish forces may be awarded a pension in accordance with the following provisions of this Article, if the widow of the member is not in receipt of a pension under Article 26.

(2) Where an unmarried dependant of a member has in her charge a child of the member and is in receipt of an allowance awarded in respect of that child under the following provisions of this Part, a pension may be paid to her until she ceases to have that child in her charge or to be in receipt of such allowance.

(3) The rate of a pension to the unmarried dependant of a member shall be at the discretion of the Minister but shall not exceed £95 a year where the member was an officer or 27s. 6d. a week where the member was a soldier.

(4) For the purposes of this Article, an unmarried dependant of a member who has in her charge a child of the member and is in receipt of an allowance awarded in respect of that child under the following provisions of this Part shall, where the child dies before attaining the child's age limit, be treated for the period of thirteen weeks from the date of the child's death as though she still had that child in her charge and were still in receipt of that allowance.

**30. Rent allowances to widows, and unmarried dependants living as wives, who have children.**—(1) Where the widow of a soldier is in receipt of a pension under Article 26 or 28, or an unmarried dependant living as a wife of a soldier is in receipt of a pension under Article 29 and the household of the widow or unmarried dependant includes a child, the widow or unmarried dependant may be awarded an allowance in accordance with the following provisions of this Article at such weekly rate, not exceeding 15s., as the Minister may consider appropriate having regard to the amount by which her weekly rent and rates exceed 8s.

(2) An allowance under this Article to a widow in receipt of a pension under Article 28 shall not exceed the amount by which the pension, together with any allowances awarded to her under the following provisions of this Part in respect of children, falls short of the amount which her husband was, throughout any such period as is mentioned in Article 28 (1) (*a*), contributing, or required by a maintenance or separation order to contribute, to her support and that of her children.

(3) Where an allowance under this Article would cease by reason of the death of a child before attaining the child's age limit, the allowance shall be continued for the period of thirteen weeks from the date of the child's death.

(4) In this Article—

(*a*) " child " means a child of the soldier who has not attained the child's age limit, or who, having attained that age limit, is a student or an apprentice or is incapable of self-support by reason of an infirmity which arose before he attained that age limit, and includes any person fulfilling those conditions who should, in the opinion of the Minister, having regard to his relationship to or connection with the soldier and the other circumstances of the case, be treated as covered by the provisions of this Article;

(*b*) " weekly rent and rates " means such sum as the Minister may, after taking into account all relevant factors and making all necessary apportionments, consider to be the weekly amount which the widow or unmarried dependant is paying or providing either directly or indirectly in respect of rent, or the equivalent thereof, and rates for accommodation for the benefit of herself and the child;

(*c*) " accommodation " means living accommodation without any service or benefit not ordinarily provided by the landlord to the tenant of an unfurnished dwelling house, but may include accommodation reasonably required for the storage of furniture.

(5) This Article shall have effect as if any reference to a soldier included a reference to a warrant officer (Royal Navy), so, however, that the rate of an allowance under this Article to the widow or unmarried dependant of a warrant

officer (Royal Navy) shall not exceed the amount by which the pension of which she is in receipt under this Part, together with any allowances awarded to her under the following provisions of this Part in respect of children, falls short of the pension under this Part, together with any allowances under the following provisions of this Part in respect of children, of which she would be in receipt if the warrant officer (Royal Navy) had been a Second Lieutenant.

**31.** (*Not applicable.*)

**32. Allowances in respect of children under the age limit.**—(1) Where a child of a member of the Polish forces has not attained the child's age limit, an allowance under this Article may be awarded in respect of that child unless a pension is awarded to that child under Article 33.

(2) Subject to the following provisions of this Article, an allowance under this Article in respect of a child shall be at the rate of £36 a year where the member was an officer or 11s. a week in any other case.

(3) Where a child of a male member is a child to whom Article 1 (5) (*e*) applies, an allowance under this Article in respect of that child shall be at such rate as the Minister may determine, but shall not exceed £36 a year where the member was an officer or 11s. a week in any other case.

(4) Where the widower of a woman member is alive, no allowance shall be awarded under this Article in respect of any child of whom the widower is the father or who has been legally adopted by the widower.

(5) Where—

(*a*) a child of a male member is not under the control of the child's mother or of a person who is or has been in receipt of a pension under Article 26, 28 or 29, in respect of the death of the member; or

(*b*) a child of a woman member is not under the control of the child's father or of a widower of the member;

an allowance under this Article in respect of the child may be awarded at, or if already awarded increased to, a rate not exceeding—

(i) where the member was a commissioned officer, £60 a year;

(ii) where the member was a warrant officer (Royal Navy), £45 a year if the child has not attained the age of 15 years, or £52 a year if the child has attained that age; or

(iii) in any other case 13s. 6d. a week if the child has not attained the age of 15 years or 20s. a week if the child has attained that age.

**33. Pensions to motherless or fatherless children under the age limit.**—Where a child of a male member of the Polish forces is or becomes motherless, or where a woman member who has a child dies without leaving a widower, or the widower of such a woman member dies, and in either case the child has not attained the child's age limit, a pension may be awarded to the child at whichever of the following rates is applicable:—

(*a*) where the member was a commissioned officer, £60 a year;

(*b*) where the member was a warrant officer (Royal Navy), £45 a year if the child has not attained the age of 15 years or £52 a year if the child has attained that age; or

(*c*) in any other case 13s. 6d. a week if the child has not attained the age of 15 years or 20s. a week if the child has attained that age:

Provided that, in the case of a male member, a pension under this Article to a child to whom Article 1 (5) (*e*) applies shall be at such rate as the Minister may determine, but shall not exceed the rate which would be appropriate under the foregoing provisions of this Article.

**34. Awards to or in respect of children over the age limit.**—(1) An allowance in respect of, or a pension to, a child of a member of the Polish forces may be awarded, or an award of such an allowance or pension may be continued, subject to the following provisions of this Article, after the child has attained the child's age limit where the child—

(*a*) is a student or an apprentice ; or

(*b*) is incapable of self-support by reason of an infirmity which arose before he attained the child's age limit ;

and the circumstances are such, in the opinion of the Minister, as to justify the award or its continuance.

(2) Subject to paragraph (3) of this Article, an allowance or pension so awarded or continued shall be at the rate and subject to the conditions laid down in the foregoing provisions of this Part.

(3) Where a child in whose case the conditions of Article 32 (5) or 33 are fulfilled has attained the age of 18 years and is incapable of self-support by reason of an infirmity which arose before he attained the child's age limit, the allowance or pension may be awarded at, or if already awarded increased to, a rate not exceeding £68 a year in the case of an officer's child or 26s. a week in any other case.

**35.** (*Not applicable.*)

**36. Awards for ineligible members of the family of unemployable pensioners.**—Where a member of the Polish forces was at the date of his death in receipt of an allowance in respect of a child under Article 17 (3) (*c*) (ii) a pension to or an allowance in respect of the child may be awarded at the rate and subject to the conditions which would have been appropriate under the foregoing provisions of this Part if the child had been an eligible member of the family.

**37. Pensions to parents.**—(1) Subject to the following provisions of this Article, the parent of a member of the Polish forces may be awarded a pension if he is in pecuniary need by reason of old age, or infirmity or other adverse condition which is not merely of a temporary character :

Provided that, where the widow or unmarried dependant living as a wife of a member is in receipt of a pension under this Part, a pension shall not be awarded under this Article unless the parent was dependent on the member.

(2) In determining whether and to what extent a parent is in pecuniary need, the Minister shall take into account the extent to which the member before and during his service supported the parent, and the extent to which the member, if he had not died, would have been likely, in the opinion of the Minister, to support the parent thereafter.

(3) The rate of a pension under this Article shall be not less than £15 a year where the member was an officer, or 5s. a week in any other case, and shall not exceed—

(*a*) where the member was a commissioned officer, £75 a year where there is only one eligible parent or £100 a year where there is more than one eligible parent ;

(*b*) where the member was a warrant officer (Royal Navy), £60 a year where there is only one eligible parent or £85 a year where there is more than one eligible parent ;

(*c*) in any other case, 20s. a week where there is only one eligible parent or 27s. 6d. a week where there is more than one eligible parent :

Provided that, in exceptional cases, the rate of the pension may be increased in excess of the foregoing rates by a sum not exceeding :—

(i) where the member was an officer, £20 a year ;

(ii) in any other case, 7s. 6d. a week where there is only one eligible parent or 12s. 6d. a week where there is more than one eligible parent.

(4) Where an award to a parent may be made under this Article in respect of the death of two or more members of the Polish forces—

(*a*) one pension only may be awarded under this Article in respect of the death of those members; and

(*b*) paragraph (2) of this Article shall have effect as if it referred to the support given to the parent by all those members.

(5) Where the conditions for the award of a pension under this Article are fulfilled in the case of more than one parent of a member, a pension may be awarded to whichever parent the Minister may select and, so long as the award to that parent is in force, a pension shall not be awarded to any other parent of the member:

Provided that, where the parents of the member are not living together, a pension may, if the Minister thinks fit, be awarded to each of them, so, however, that the aggregate rate of the pensions shall not exceed the maximum rate at which a pension under this Article may be awarded.

**38. Pensions to other dependants.**—(1) Subject to the following provisions of this Article, any other dependant of a member of the Polish forces may be awarded a pension if he was dependent on the member and is in pecuniary need and incapable of self-support:

Provided that—

(*a*) Not more than one dependant shall be awarded a pension under this Article in respect of the death of the member except in the case of juvenile dependants, and where an award under this Article to any dependant ceases for any reason to have effect, no award shall be made under this Article to any other person unless that person is the wife or husband of that dependant; and

(*b*) the decision of the Minister shall be final on any question as to which of two or more dependants who may be eligible should receive a pension under this Article.

(2) A pension awarded under this Article to an other dependant who is not a juvenile dependant shall be at such rate as the Minister may determine, but shall not exceed £54 a year where the member was an officer or 20s. a week in any other case, and shall not, in a case where a pension under Article 37 is in payment to one eligible parent of the member, exceed the maximum which, by virtue of paragraph (4) of this Article, is appropriate in such a case.

(3) A pension awarded under this Article to a juvenile dependant of a member shall be at such rate as the Minister may determine, but shall not exceed—

(*a*) where the member was a commissioned officer, £26 a year for each juvenile dependant so, however, that the aggregate rate of the pensions shall not exceed £75 a year;

(*b*) where the member was a warrant officer (Royal Navy) £20 a year for each juvenile dependant, so, however, that the aggregate rate of the pensions shall not exceed £65 a year;

(*c*) in any other case, 6s. a week for each juvenile dependant, so, however, that the aggregate rate of the pension shall not exceed 20s. a week;

and shall not, in a case where a pension under Article 37 is in payment to one eligible parent of the member, exceed the maximum which, by virtue of paragraph (6) of this Article, is appropriate in such a case.

(4) Where a pension under Article 37 is in payment to one eligible parent of the member, the rate of a pension under this Article to an other dependant of the member or, as the case may be, the aggregate rate of the pensions to the other dependants of the member, shall not exceed the difference

between the rate of the pension of which the parent is in receipt and the maximum rate which would be appropriate in that case under paragraph (3) of Article 37 if there were two eligible parents and the case were treated as an exceptional case under the proviso to that paragraph.

**39. Remarriage of female pensioners, etc.**—(1) Any pension to or allowance in respect of a female person awarded under this Part in respect of the death of a member of the Polish forces shall cease if that person marries or cohabits with some other person as his wife.

(2) Where a pension awarded under Article 26 to the widow of an officer or of a warrant officer (Royal Navy) or of a warrant officer, class I, or a pension awarded under Article 37 to the female parent of a member of the Polish forces, ceases under paragraph (1) of this Article on her marriage, the Minister may, on the death of the husband of that marriage, restore the pension in whole or in part if the circumstances of the widow or parent are, in his opinion, such as to justify its restoration.

(3) Where a pension awarded under Article 26 or 28 to the widow of a soldier (not being the widow of a warrant officer, class I) ceases on her marriage, a gratuity equal to one year's pension may be awarded to her.

(4) An allowance under this Part in respect of the child of a member of the Polish forces shall not be affected by the cessation under this Article of a pension awarded to any other person in respect of the death of that member.

## PART VI.—(*Not applicable.*)

## PART VII.—GENERAL PROVISIONS

**51. Interpretation of Part VII.**—In this Part of this Royal Warrant, except where the context otherwise requires, the expression "pension" means any pension, allowance or other continuing benefit under this Royal Warrant, and the expression "gratuity" means any gratuity under this Royal Warrant.

**52. Adjustment of awards in respect of other compensation.**—(1) Where the Minister is satisfied that compensation has been or will be paid to or in respect of a person to or in respect of whom a pension or gratuity is being or may be paid or that any compensation which has been or will be paid will benefit such a person, the Minister may take the compensation into account against the pension or gratuity in such manner and to such extent as he may think fit and may withhold or reduce the pension or gratuity accordingly.

(2) Where the Minister in any case considers that it is by reason of some act or omission by or on behalf of a person to or in respect of whom a pension or gratuity is being or may be paid that—

(*a*) there is no compensation to be taken into account against that pension or gratuity under paragraph (1) of this Article; or

(*b*) the amount of compensation so to be taken into account against that pension or gratuity is less than it would otherwise have been;

and the Minister is of the opinion that such act or omission was unreasonable, the Minister may assess the amount of the compensation which, in his opinion, would have fallen to be taken into account as aforesaid but for such act or omission, and may, for the purpose of paragraph (1) of this Article, treat the amount so assessed as if it were compensation which could be taken into account under that paragraph against that pension or gratuity.

(3) In this Article "compensation" means—

(*a*) any periodical or lump sum payment in respect of the disablement or death of any person, or in respect of any injury, disease or incapacity sustained or suffered by any person, being a payment—

(i) for which provision is made by or under any enactment, Warrant (including this Royal Warrant), Order in Council, Order, scheme, ordinance, regulation, or other instrument; or

(ii) which is recoverable as damages at common law; or

(*b*) any periodical or lump sum payment which, in the opinion of the Minister, is recoverable or payable—

(i) under any enactment, scheme, ordinance, regulation or other instrument whatsoever promulgated or made in any place outside the United Kingdom; or

(ii) under the law of any such place;

and is analogous to any payment falling within subparagraph (*a*) of this paragraph; or

(*c*) any periodical or lump sum payment made in settlement or composition of, or to avoid the making of, any claim to any payment falling within subparagraph (*a*) or (*b*) of this paragraph, whether liability on any such claim is or is not admitted.

**53. Pensioners admitted to institutions.**—Where any person to or in respect of whom a pension or gratuity may be or has been awarded is being maintained in an institution which is supported wholly or partly out of public funds, otherwise than for the purpose of receiving medical, surgical or rehabilitative treatment for a disablement in respect of which a pension or gratuity may be or has been awarded, the Minister may deduct from the pension or gratuity such amount in respect of the maintenance of the person in the institution as he may think fit having regard to all the circumstances of the case, and may pay the amount so deducted to that authority.

**54.** (*Not applicable.*)

**55. Children whose maintenance is otherwise provided for.**—(1) A pension which may be or has been awarded to or in respect of a child may be withheld, or reduced to such an extent as the Minister may think fit, where periodical payments out of public funds are being made to or in respect of the child or the child is being maintained in any institution wholly or mainly supported out of public funds or in any naval, military or air force.

(2) A pension which may be or has been awarded to or in respect of a child of a woman member of the Polish forces, or to or in respect of an illegitimate child of the wife or widow of a male member, or to or in respect of a foster-child who is illegitimate, may be reduced by the amount of any contributions to the support of the child which are being made by, or which it would be reasonably practicable to obtain from, the father of the child, or, as the case may be, the widower of a woman member.

(3) In this Article "child" includes any person who is for the purposes of any provision of this Royal Warrant to be treated as a child to or in respect of whom a pension may be or has been awarded.

**56. Payment of public claims out of pensions.**—Where the Minister is satisfied that a sum is due to the Crown, a Secretary of State, a Minister or a Government Department from a person to or in respect of whom a pension or gratuity may be or has been awarded, or that an over-payment has been made to or in respect of any such person by the Crown, a Secretary of State, a Minister or a Government Department, the Minister may deduct from the pension or gratuity

in respect of that sum or over-payment such amounts and at such times as he may think fit and may apply the amounts so deducted in or towards paying or repaying that sum or over-payment.

**57. Administration of pensions, etc.**—(1) A pension or gratuity awarded to or in respect of any person may be administered by the Minister if that person—

(*a*) has not attained the age of 21 years ; or

(*b*) is, in the opinion of the Minister, incapable of managing his own affairs by reason of mental infirmity ; or

(*c*) is being maintained in an institution to which Article 53 applies ; or

(*d*) is a person in whose case the award can be forfeited or has been restored under Article 58 ;

or if, in any other case, the Minister considers that it is in the interests of that person that it should be so administered.

(2) A pension or gratuity which is being administered under this Article may, as to the whole or such part thereof as the Minister thinks fit and at such times as he thinks fit, be applied for the benefit of the person to or in respect of whom it has been awarded or be paid to any person whom the Minister considers a fit and proper person so to apply the same.

**58. Forfeiture of pensions, etc.**—(1) Where a person to or in respect of whom a pension or gratuity may be or has been awarded—

(*a*) is, in pursuance of a sentence or order of a Court upon his being found guilty of an offence, serving a term of imprisonment, detention, preventive detention or corrective training, or detained in a Borstal institution, approved school or remand home ; or

(*b*) is under any enactment deported from, required to leave, or prohibited from entering the United Kingdom or the Isle of Man, or is a person whose certificate of naturalisation has been revoked ; or

(*c*) being a person to or in respect of whom an award of a pension or gratuity may be or has been made under Part V of this Royal Warrant, is, in the opinion of the Minister, unworthy of a grant from public funds ;

the Minister may withhold the award of the pension or gratuity or, if it has been awarded, may direct that it shall be forfeited as from such date (including any past date) as he may think fit.

(2) The Minister may, upon such terms and as from such date (including any past date) as he thinks fit, restore, either in whole or in part, a pension or gratuity forfeited under this Article.

**59. Refusal of treatment.**—(1) Where it is certified that a member of the Polish forces should in his own interests receive medical, surgical or rehabilitative treatment for a disablement in respect of which a pension may be or has been awarded to him, and the member refuses or neglects to receive the treatment, the Minister may, if he considers that such refusal or neglect is unreasonable, reduce any pension in respect of the member's disablement by such an amount, not exceeding one-half of any such pension, as he may think fit.

(2) For the purpose of this Article, any misconduct on the part of the member which, in the opinion of the Minister, renders it necessary for any treatment that he is receiving to be discontinued, may be treated as a refusal of the member to receive the treatment.

**60. Failure to draw pension.**—Where a person fails for a continuous period of not less than twelve months to draw his pension, the award may be cancelled and payment of any arrears may be withheld:

Provided that the Minister may, in any particular case, restore the award and pay the arrears either in whole or in part.

**61. Arrears.**—Except in so far as the Minister may otherwise direct with respect to any particular case or class of case, payment of a pension shall not be made in respect of any period preceding the date of the application or appeal as a result of which the claim to the award of the pension, or as the case may be, to the continuance or resumption of the payment of the pension, is accepted.

**62. Payment of pensions.**—Payment of a pension under this Royal Warrant may be made provisionally or upon any other basis and for such period as the Minister may think fit and, except as the Minister may direct either generally or in any particular case or class of case, a pension awarded in terms of a weekly amount may be paid weekly in advance and a pension not awarded in such terms may be paid quarterly or monthly in arrear.

**63. Review of awards, etc.**—(1) Where the Minister makes a final assessment of the degree or nature of the disablement of a member of the Polish forces, or a final decision that there is no disablement or that the disablement has come to an end, any award under Article 11 or 12 made on the basis of that assessment, or any such final decision, shall not, subject to the provisions of this Part, be reviewed unless—

(*a*) in the case of a final assessment, there is a substantial increase in the degree of disablement which is due to service; or

(*b*) in the case of a final decision, there is a substantial degree of disablement which is due to service; or

(*c*) the rate of the pension or other grant has by error been fixed at a figure which is not appropriate under this Royal Warrant to the assessment of the degree or nature of the disablement; or

(*d*) the award of the pension or other grant has been made by error; or

(*e*) the Minister has reason to believe that the award has been obtained by improper means.

(2) Any award under this Royal Warrant (other than an award made on the basis of such a final assessment as aforesaid) may be reviewed at any time on any of the grounds specified in paragraph (1) of this Article, or on any other ground which, in the opinion of the Minister, having regard to the provisions of this Royal Warrant, necessitates its review.

(3) On any review under this Article the Minister may continue or vary the award, or make a fresh award in place of it, or cancel it, or in the case of such a final decision as is mentioned in paragraph (1) of this Article may make an award as may be appropriate having regard to the provisions of this Royal Warrant.

**64. Power to dispense with probate.**—(1) Where a person to whom any payment could have been made under this Royal Warrant before his death dies before the payment is made, and the amount unpaid does not exceed £100, the amount so unpaid may be paid to the personal representative of the deceased person without probate or other proof of title, or may be paid or distributed to or among the persons appearing to the Minister to be the persons beneficially entitled to the personal estate of the deceased person, or to or among any one or more of those persons, and, in determining the persons to whom and the

proportions in which the amount so unpaid shall be paid or distributed, the Minister may have regard to any payments made or expenses incurred by any such person for or on account of the funeral of the deceased person.

(2) Where a deceased person has died intestate and he was, or any child of his was or is, illegitimate, the deceased person and any such child shall, for the purposes of this Article, be treated as legitimate.

**65. Administration of this Warrant.**—This Royal Warrant shall be administered by the Minister or, as to any particular provision thereof which he may select, by such other person or body acting under his directions as he may direct, and, except as otherwise provided by statute, the Minister shall be the sole interpreter of this Royal Warrant and shall be empowered to issue such instructions with reference thereto as he may from time to time deem necessary.

**66. Transferred powers.**—Nothing contained in this Royal Warrant shall prejudice or affect any power transferred to the Minister under Section 1 of the Pensions (Navy, Army, Air Force and Mercantile Marine) Act, 1939(a).

**67.** (*Not applicable.*)

## FIRST SCHEDULE

ASSESSMENT OF DISABLEMENT DUE TO SPECIFIED INJURIES AND CERTAIN OTHER DISABLEMENTS

| Description of injury | Assessment |
|---|---|
| *Amputation Cases—Upper Limbs* | per cent. |
| Loss of both hands or amputation at higher sites ... ... ... | 100 |
| Amputation through shoulder joint ... ... ... ... ... | 90 |
| Amputation below shoulder with stump less than 8 inches from tip of acromion ... ... ... ... ... ... ... | 80 |
| Amputation from 8 inches from tip of acromion to less than 4½ inches below tip of olecranon ... ... ... ... ... | 70 |
| From 4½ inches below tip of olecranon ... ... ... ... | 60 |
| Loss of thumb ... ... ... ... ... ... ... ... | 30 |
| Loss of thumb and its metacarpal bone ... ... ... ... | 40 |
| Loss of 4 fingers ... ... ... ... ... ... ... ... | 50 |
| Loss of 3 fingers ... ... ... ... ... ... ... ... | 30 |
| Loss of 2 fingers ... ... ... ... ... ... ... ... | 20 |
| Loss of terminal phalanx of thumb ... ... ... ... ... | 20 |
| *Amputation Cases—Lower Limbs* | per cent. |
| Double amputation through thigh, or through thigh on one side and loss of other foot, or double amputation below thigh to 5 inches below knee ... ... ... ... ... ... ... ... | 100 |
| Double amputation through leg lower than 5 inches below knee ... | 100 |

(a) 2 & 3 Geo. 6. c. 83.

| Description of injury | Assessment |
|---|---|
| *Amputation Cases—Lower Limbs.*—cont. | per cent. |
| Amputation of one leg lower than 5 inches below knee and loss of other foot | 100 |
| Amputation of both feet resulting in end-bearing stumps | 90 |
| Amputation through both feet proximal to the metatarso-phalangeal joint | 80 |
| Loss of all toes of both feet through the metatarso-phalangeal joint | 40 |
| Loss of all toes of both feet proximal to the proximal inter-phalangeal joint | 30 |
| Loss of all toes of both feet distal to the proximal inter-phalangeal joint | 20 |
| Amputation through hip joint | 90 |
| Amputation below hip with stump not exceeding 5 inches in length measured from tip of great trochanter | 80 |
| Amputation below hip with stump exceeding 5 inches in length measured from tip of great trochanter, but not beyond middle thigh | 70 |
| Below middle thigh to 3½ inches below knee | 60 |
| Below knee with stump exceeding 3½ inches but not exceeding 5 inches | 50 |
| Below knee with stump exceeding 5 inches | 40 |
| Amputation of one foot resulting in end-bearing stump | 30 |
| Amputation through one foot proximal to the metatarso-phalangeal joint | 30 |
| Loss of all toes of one foot proximal to the proximal inter-phalangeal joint, including amputations through the metatarso-phalangeal joint | 20 |
| *Other Specific Injuries* | per cent. |
| Loss of a hand and a foot | 100 |
| Loss of one eye, without complications, the other being normal | 40 |
| Loss of vision of one eye, without complications or disfigurement of the eyeball, the other being normal | 30 |
| Loss of sight | 100 |
| *Other Disablements* | per cent. |
| Very severe facial disfigurement | 100 |
| Absolute deafness | 100 |

NOTE.—Where the scheduled assessment for a specified injury involving multiple losses differs from the sum of the assessments for the separate injuries, the former is the appropriate assessment.

## SECOND SCHEDULE

### TABLE 1

YEARLY RATES OF PENSIONS FOR DISABLED MALE OFFICERS AND WOMEN OFFICERS UNDER ARTICLE 1 (13) (*a*) OF THE SCHEME

| Degree of disablement | Rank | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | Major General | Brigadier | Colonel | Lieutenant-Colonel | Major | Captain | Subaltern | Warrant Officer (RN) Midshipman (RN) |
| Per cent. | £ | £ s. | £ | £ | £ | £ | £ | £ |
| 100 | 420 | 375 0 | 330 | 300 | 270 | 240 | 210 | 180 |
| 90 | 378 | 337 10 | 297 | 270 | 243 | 216 | 189 | 162 |
| 80 | 336 | 300 0 | 264 | 240 | 216 | 192 | 168 | 144 |
| 70 | 294 | 262 10 | 231 | 210 | 189 | 168 | 147 | 126 |
| 60 | 252 | 225 0 | 198 | 180 | 162 | 144 | 126 | 108 |
| 50 | 210 | 187 10 | 165 | 150 | 135 | 120 | 105 | 90 |
| 40 | 168 | 150 0 | 132 | 120 | 108 | 96 | 84 | 72 |
| 30 | 126 | 112 10 | 99 | 90 | 81 | 72 | 63 | 54 |
| 20 | 84 | 75 0 | 66 | 60 | 54 | 48 | 42 | 36 |

### TABLE 2

WEEKLY RATES OF PENSIONS FOR DISABLED SOLDIERS

| Degree of disablement | Rank (or equivalent rank) | | | | | |
|---|---|---|---|---|---|---|
| | Warrant Officer, Class I | Warrant Officer, Class II | Staff Serjeant | Serjeant | Corporal | Private |
| Per cent. | s. d. | s. d. | s. d. | s. d. | s. d. | s. d. |
| 100 ... | 61 8 | 58 4 | 55 0 | 51 8 | 48 4 | 45 0 |
| 90 ... | 55 6 | 52 6 | 49 6 | 46 6 | 43 6 | 40 6 |
| 80 ... | 49 4 | 46 8 | 44 0 | 41 4 | 38 8 | 36 0 |
| 70 ... | 43 2 | 40 10 | 38 6 | 36 2 | 33 10 | 31 6 |
| 60 ... | 37 0 | 35 0 | 33 0 | 31 0 | 29 0 | 27 0 |
| 50 ... | 30 10 | 29 2 | 27 6 | 25 10 | 24 2 | 22 6 |
| 40 ... | 24 8 | 23 4 | 22 0 | 20 8 | 19 4 | 18 0 |
| 30 ... | 18 6 | 17 6 | 16 6 | 15 6 | 14 6 | 13 6 |
| 20 ... | 12 4 | 11 8 | 11 0 | 10 4 | 9 8 | 9 0 |

## SECOND SCHEDULE

### TABLE 3

RATES OF PENSIONS FOR DISABLED WOMEN MEMBERS OTHER THAN THOSE UNDER ARTICLE 1(13) (*a*) OF THE SCHEME

| Degree of disablement | Officers | | | | Other Ranks | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | Member with status equivalent to that of | | | | | |
| | Member with status above that of Lieutenant-Colonel | Member with status of Lieutenant-Colonel | Member with status equivalent to that of Major | Member with other officer status | Warrant Officer Class I | Warrant Officer Class II | Staff Serjeant | Serjeant | Corporal | Private |
| Per cent. | Yearly rate £ | Yearly rate £ s. | Yearly rate £ s. | Yearly rate £ s. | Weekly rate s. d. | Weekly rate s. d. | Weekly rate s. d. | Weekly rate s. d. | Weekly rate s. d. | Weekly rate s. d. |
| 100 ... | 270 | 235 0 | 205 0 | 175 0 | 53 4 | 51 8 | 50 0 | 48 4 | 46 8 | 45 0 |
| 90 ... | 243 | 211 10 | 184 10 | 157 10 | 48 0 | 46 6 | 45 0 | 43 6 | 42 0 | 40 6 |
| 80 ... | 216 | 188 0 | 164 0 | 140 0 | 42 8 | 41 4 | 40 0 | 38 8 | 37 4 | 36 0 |
| 70 ... | 189 | 164 10 | 143 10 | 122 10 | 37 4 | 36 2 | 35 0 | 33 10 | 32 8 | 31 6 |
| 60 ... | 162 | 141 0 | 123 0 | 105 0 | 32 0 | 31 0 | 30 0 | 29 0 | 28 0 | 27 0 |
| 50 ... | 135 | 117 10 | 102 10 | 87 10 | 26 8 | 25 10 | 25 0 | 24 2 | 23 4 | 22 6 |
| 40 ... | 108 | 94 0 | 82 0 | 70 0 | 21 4 | 20 8 | 20 0 | 19 4 | 18 8 | 18 0 |
| 30 ... | 81 | 70 10 | 61 10 | 52 10 | 16 0 | 15 6 | 15 0 | 14 6 | 14 0 | 13 6 |
| 20 ... | 54 | 47 0 | 41 0 | 35 0 | 10 8 | 10 4 | 10 0 | 9 8 | 9 4 | 9 0 |

## THIRD SCHEDULE

### TABLE 1

GRATUITIES PAYABLE FOR SPECIFIED MINOR INJURIES

| Description of Injury | Officers | Other ranks |
|---|---|---|
| | £ | £ |
| For the loss of:— | | |
| A. Fingers:— | | |
| R. or L. Index finger— | | |
| Whole ... ... ... ... ... ... | 150 | 120 |
| 2 phalanges ... ... ... ... ... ... | 120 | 95 |
| 1 phalanx ... ... ... ... ... ... | 100 | 80 |
| Guillotine amputation of tip without loss of bone | 60 | 50 |
| R. or L. middle finger— | | |
| Whole ... ... ... ... ... ... ... | 130 | 105 |
| 2 phalanges ... ... ... ... ... ... | 100 | 80 |
| 1 phalanx ... ... ... ... ... ... | 80 | 65 |
| Guillotine amputation of tip without loss of bone | 50 | 40 |
| R. or L. ring or little finger— | | |
| Whole ... ... ... ... ... ... ... | 80 | 65 |
| 2 phalanges ... ... ... ... ... ... | 70 | 55 |
| 1 phalanx ... ... ... ... ... ... | 60 | 50 |
| Guillotine amputation of tip without loss of bone | 30 | 25 |
| B. Toes:— | | |
| R. or L. great toe— | | |
| through metatarso-phalangeal joint ... ... | 150 | 120 |
| part, with some loss of bone ... ... ... | 40 | 35 |
| R. or L. 1 other toe— | | |
| through metatarso-phalangeal joint ... ... | 40 | 35 |
| part, with some loss of bone ... ... ... | 20 | 15 |
| 2 toes, excluding great toe— | | |
| through metatarso-phalangeal joint ... ... | 60 | 50 |
| part, with some loss of bone ... ... ... | 30 | 25 |
| 3 toes, excluding great toe— | | |
| through metatarso-phalangeal joint ... ... | 70 | 55 |
| part, with some loss of bone ... ... ... | 40 | 35 |
| 4 toes, excluding great toe— | | |
| through metatarso-phalangeal joint ... ... | 100 | 80 |
| part, with some loss of bone ... ... ... | 40 | 35 |

## THIRD SCHEDULE

### TABLE 2

GRATUITIES PAYABLE TO OFFICERS FOR DISABLEMENT ASSESSED AT LESS THAN 20 PER CENT., NOT BEING A MINOR INJURY SPECIFIED IN TABLE 1

*A.—Male officers, and women officers under Article 1 (13) (a) of the Scheme*

| Rank | Estimated duration of the disablement within the degree referred to | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Temporary less than a year | | | Temporary more than a year | | | Indeterminate | | | 6–14 per cent. | 15–19 per cent. | 6–14 per cent. | 15–19 per cent. | 15–19 per cent. Temporary less than a year | 15–19 per cent. Temporary more than a year |
| | Per cent. | | | Per cent. | | | Per cent. | | | Temporary less than a year followed by 1–5 per cent. indeterminate | | Temporary more than a year followed by 1–5 per cent. indeterminate | | followed by 6–14 per cent. indeterminate | |
| | 1–5 | 6–14 | 15–19 | 1–5 | 6–14 | 15–19 | 1–5 | 6–14 | 15–19 | | | | | | |
| | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ |
| Major-General ... | 26 | 52 | 80 | 52 | 104 | 160 | 130 | 260 | 400 | 156 | 184 | 182 | 238 | 288 | 316 |
| Brigadier ... ... | 24 | 48 | 72 | 48 | 96 | 144 | 120 | 240 | 360 | 144 | 168 | 168 | 216 | 264 | 288 |
| Colonel ... ... | 22 | 44 | 64 | 44 | 88 | 128 | 110 | 220 | 320 | 132 | 152 | 154 | 194 | 240 | 260 |
| Lieutenant-Colonel ... | 19 | 38 | 56 | 38 | 76 | 112 | 95 | 190 | 280 | 114 | 132 | 133 | 169 | 208 | 226 |
| Major ... ... | 16 | 32 | 48 | 32 | 64 | 96 | 80 | 160 | 240 | 96 | 112 | 112 | 144 | 176 | 192 |
| Captain or Subaltern | 15 | 26 | 40 | 26 | 52 | 80 | 75 | 150 | 200 | 86 | 100 | 101 | 129 | 164 | 178 |
| Warrant Officer (Royal Navy) or Midshipman (Royal Navy) | 14 | 22 | 33 | 22 | 44 | 66 | 55 | 110 | 165 | 63 | 74 | 77 | 99 | 121 | 132 |

*B.—Women officers, other than those under Article 1 (13) (a) of the Scheme*

| | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ | £ |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Member with status above that of Lieutenant-Colonel ... | 18 | 36 | 54 | 36 | 72 | 108 | 85 | 170 | 250 | 103 | 121 | 121 | 157 | 188 | 206 |
| Member with status of Lieutenant-Colonel | 16 | 30 | 45 | 30 | 60 | 90 | 80 | 160 | 220 | 94 | 109 | 110 | 140 | 175 | 190 |
| Member with status equivalent to that of Major ... ... | 13 | 24 | 36 | 24 | 48 | 72 | 60 | 120 | 180 | 71 | 83 | 84 | 108 | 132 | 144 |
| Member with other officer status ... | 12 | 22 | 33 | 22 | 44 | 66 | 55 | 110 | 165 | 65 | 76 | 77 | 99 | 121 | 132 |

## THIRD SCHEDULE

### TABLE 3

RATES AND PERIODS OF WEEKLY ALLOWANCES WITH TERMINAL GRATUITIES (WHERE APPROPRIATE) PAYABLE TO OTHER RANKS FOR DISABLEMENT ASSESSED AT LESS THAN 20 PER CENT., NOT BEING A MINOR INJURY SPECIFIED IN TABLE 1.

A. The weekly rates of allowances shall be as follows:—

| | *Soldiers* | *Women members* |
|---|---|---|
| | s. d. | s. d. |
| Warrant Officer, Class I | 11 0 | 10 2 |
| Warrant Officer, Class II | 10 6 | 9 10 |
| Staff Serjeant ... ... | 10 0 | 9 6 |
| Serjeant ... ... ... | 9 6 | 9 2 |
| Corporal ... ... | 9 0 | 8 10 |
| Private ... ... ... | 8 6 | 8 6 |

With an addition, subject to the same conditions as those laid down with respect to allowances granted under Article 13, as follows:—

| | s. d. |
|---|---|
| for a wife or unmarried dependant living as a wife... | 1 0 |
| for each child ... ... | 1 0 |

B. The periods of weekly allowances and amounts of terminal gratuities (where appropriate) shall be as follows:—

| Degree of disablement | Estimated duration of the disablement within the degree referred to | | | | | |
|---|---|---|---|---|---|---|
| | Temporary less than a year | | Temporary more than a year | | Indeterminate | |
| | Number of weeks' allowance | Terminal gratuity | Number of weeks' allowance | Terminal gratuity | Number of weeks' allowance | Terminal gratuity |
| | | £ | | £ | | £ |
| Per cent. 1–5 ... ... | 18* | — | 35 | — | 52 | 20 |
| 6–14 ... ... | 35 | — | 70 | — | 104 | 40 |
| 15–19 ... ... | 52 | — | 104 | — | 156 | 80 |
| 6–14 (followed by 1–5 indeterminate) | 69 | 20 | 87 | 20 | — | — |
| 15–19 (followed by 1–5 indeterminate) | 86 | 20 | 121 | 20 | — | — |
| 15–19 (followed by 6–14 indeterminate) | 121 | 40 | 138 | 40 | — | — |

* Minimum payment £10.

## FOURTH SCHEDULE

### TABLE 1

YEARLY RATES OF PENSIONS FOR WIDOWS OF OFFICERS

| Rank (1) | Yearly rate of pension (2) | (3) |
|---|---|---|
| | £ | £ |
| General | — | 540 |
| Lieutenant-General | — | 440 |
| Major-General | — | 350 |
| Brigadier | — | 290 |
| Colonel | — | 230 |
| Lieutenant-Colonel | — | 210 |
| Major | 180 | 170 |
| Captain | 165 | 150 |
| Lieutenant | 150 | 130 |
| Second Lieutenant | 150 | 130 |
| Warrant Officer (Royal Navy) | 125 | 105 |

### TABLE 2

WEEKLY RATES OF PENSIONS FOR WIDOWS OF SOLDIERS

| Rank (1) | Weekly rate of pension (2) | (3) |
|---|---|---|
| | s. d. | s. d. |
| Warrant Officer, Class I | 40 0 | 28 4 |
| Warrant Officer, Class II | 39 0 | 26 8 |
| Staff Serjeant | 38 0 | 25 0 |
| Serjeant | 37 0 | 23 4 |
| Corporal | 36 0 | 21 8 |
| Private | 35 0 | 20 0 |

## FIFTH SCHEDULE

WIDOWS' GRATUITIES UNDER ARTICLE 27

| Rank | Amount of gratuity |
|---|---|
| | £ |
| General | 1,500 |
| Lieutenant-General | 1,250 |
| Major-General | 1,000 |
| Brigadier | 800 |
| Colonel | 600 |
| Lieutenant-Colonel | 450 |
| Major | 300 |
| Captain | 200 |
| Lieutenant | 150 |
| Second Lieutenant | 100 |
| Warrant Officer (Royal Navy) | 80 |

## EXPLANATORY NOTE

*(This Note is not part of the Scheme, but is intended to indicate its general purport.)*

1. This Scheme is made under section 1 of the Polish Resettlement Act, 1947 and replaces the War Pensions (Polish Forces) Scheme, 1947. The Scheme applies, subject to certain conditions, limitations and exceptions, provisions in modified form of the Royal Warrant of the 24th May, 1949, concerning pensions, etc., for the disablement or death of members of the British military forces in consequence of service after the 2nd September, 1939, to members of certain Polish forces detailed in section 1 (1) of the aforesaid Act, where disablement or death is due to service under British command in those forces. The principal changes made by the Scheme are set out in the following paragraphs.

2. Allowances are now payable for legally adopted children and stepchildren irrespective of the date of adoption or the date of the pensioner's marriage to the child's mother.

3. The allowance for wear and tear of clothing caused by the use of an artificial limb has been increased.

4. The allowance for unemployable pensioners has been increased from 20s. to 30s. a week.

5. The maximum rate of the allowance for lowered standard of occupation (formerly called the special hardship allowance) has been increased from 11s. 3d. to 20s. a week.

6. An additional treatment allowance of 26s. a week may now be paid where a pensioner is not eligible for National Insurance sickness benefit (or retirement pension or old age pension). The similar allowance payable to pensioners who have to abstain from work for a prolonged period after undergoing inpatient treatment has been increased from 9s. to 26s. a week.

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## 7. PROBATION OFFICERS

# The Probation Officers (Superannuation) Order, 1949

## 1949 No. 1134

| | |
|---|---|
| *Made* - - - - | 18*th June*, 1949 |
| *Laid before Parliament* | 21*st June*, 1949 |
| *Coming into Operation* | 1*st July*, 1949 |

In pursuance of the powers conferred upon me by section one of the Probation Officers (Superannuation) Act, 1947(**a**), as extended by section thirteen of the Superannuation (Miscellaneous Provisions) Act, 1948(**b**), I hereby, with the consent of the Treasury, make the following Order :—

**1.** In the Second Schedule to the Probation Officers (Superannuation) Order, 1948(**c**) (which sets out the adaptations subject to which the London County Council Superannuation Scheme is applied by that Order to probation officers

(a) 10 & 11 Geo. 6. c. 38. (b) 11 & 12 Geo. 6. c. 33. (c) S.I. 1948 (No. 1220) I, p. 3330.