EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Since the coming into operation on the 29th September, 1952, of the Non-Contributory Old Age Pensions Amendment Regulations, 1952, a person entitled to a pension under the Old Age Pensions Act, 1936, has had the weekly rate of his pension adjusted for a period during which he was undergoing free of charge medical or other treatment as an in-patient in a hospital or similar institution so that it should not exceed six shillings and sixpence. These Regulations amend the principal Regulations by increasing the maximum weekly rate of pension during such a period to seven shillings and sixpence. The provision of the principal Regulations that in certain circumstances adjustment shall not take place until the pensioner has undergone treatment for fifty-six continuous days is left unchanged.

WAR INJURIES (CIVILIANS)

1955 No. 49

The Personal Injuries (Civilians) (Amendment) Scheme, 1955

Made - - - -	*7th January*, 1955
Laid before Parliament	*14th January*, 1955
Coming into Operation	*31st January*, 1955

With the consent of the Treasury, the Minister of Pensions and National Insurance, in exercise of the powers conferred upon him by Sections 1 and 2 of the Personal Injuries (Emergency Provisions) Act, 1939(**a**), hereby makes the following Scheme:—

1.—(1) In this Scheme the expression "the principal Scheme" means the Personal Injuries (Civilians) Scheme, 1949(**b**), as amended by the Personal Injuries (Civilians) (Amendment) Scheme, 1951(**c**), the Personal Injuries (Civilians) (Amendment) Scheme, 1952(**d**), the Personal Injuries (Civilians) (Amendment) (No. 2) Scheme, 1952(**e**), and the Personal Injuries (Civilians) (Amendment) Scheme, 1953(**f**).

(2) Subject as hereinafter appears, the principal Scheme and this Scheme shall be construed as one.

2. In Article 10 of the principal Scheme, as amended(**d**), (which provides for pensions for disablement) for the figures 55s., wherever the same appear, and the figures 41s. 3d. and 27s. 6d. there shall be substituted the figures 67s. 6d., 50s. 8d. and 33s. 9d. respectively.

3. In Article 13 of the principal Scheme, as amended(**e**), (which provides for the award of allowances for constant attendance on a disabled person) for the figures 25s. and 50s. there shall be substituted the figures 30s. and 60s. respectively.

4. In Article 14 of the principal Scheme (which provides for the award of allowances for wear and tear of clothing) for the figure £5 there shall be substituted the figure £6 and for the figure £8, wherever the same appears, the figures £10.

(a) 2 & 3 Geo. 6. c. 82. (b) S.I. 1949/2025 (1949 I, p. 3115). (c) S.I. 1951/938 (1951 II, p. 143).
(d) S.I. 1952/874 (1952 II, p. 2418). (e) S.I. 1952/1351 (1952 II, p. 2419).
(f) S.I. 1953/894 (1953 II, p. 1546).

5. In Article 15 (2) of the principal Scheme, as amended(**a**), (which provides for the supplementation of pension for unemployable pensioners) for the figures 35s. there shall be substituted the figures 45s.

6. In Article 15 (3) (*c*) of the principal Scheme, as amended(**b**), (which provides for the award of an additional allowance for a wife or dependent husband of an unemployable pensioner) for the figures 11s. 6d. there shall be substituted the figures 15s.

7. In Article 15 (3) (*d*) of the principal Scheme, as amended(**b**), (which provides for the award of an additional allowance for an adult dependant of an unemployable pensioner) for the figures 21s. 6d. there shall be substituted the figures 25s.

8. In Article 15 (3) (*f*) of the principal Scheme, as amended(**c**), (which provides for the award of an additional allowance for the first child of an unemployable pensioner) for the figures 10s. 6d. there shall be substituted the figures 11s. 6d.

9. In Article 16 (1) of the principal Scheme, as amended(**d**), (which provides for the award of allowances for lowered standard of occupation) for the figures 20s. and 55s. there shall be substituted the figures 27s. 6d. and 67s. 6d. respectively

10. In Article 17 (3) of the principal Scheme, as amended(**b**), (which provides for the award of an additional allowance to a disabled person receiving approved treatment) for the figures 32s. 6d., wherever the same appear, there shall be substituted the figures 40s.

11. In Article 17 (4) of the principal Scheme, as amended(**c**), (which provides for the award of an allowance or increased allowance for an eligible dependant of a disabled person receiving approved treatment) for the figures 21s. 6d. and 10s. 6d. there shall be substituted the figures 25s. and 11s. 6d. respectively.

12. In Article 17 (5) of the principal Scheme, as amended(**b**), (which provides for the award of an allowance for an adult dependant of a disabled person receiving approved treatment) for the figures 21s. 6d. there shall be substituted the figures 25s.

13. Paragraph (1) of Article 22 of the principal Scheme, as amended(**d**), (which provides for pensions for widows) shall be deleted and there shall be substituted the following paragraph:—

"(1) A widow may be awarded a pension in respect of her husband's death—

(*a*) at the weekly rate of 52s. 6d. in any of the following cases, namely—

(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 her husband under Article 27, 29 or 31 of this Scheme; or

(iii) where she was in receipt of an allowance awarded in respect of a child of her husband under Article 27 of this Scheme of whom she is the mother—or was being treated under Article

(**a**) S.I. 1951/938 (1951 II, p. 143). (**b**) S.I. 1952/1351 (1952 II, p. 2419).
(**c**) S.I. 1951/938, 1952/1351 (1951 II, p. 143; 1952 II, p. 2419).
(**d**) S.I. 1952/874 (1952 II, p. 2418).

2 (11) (*b*) of this Scheme as if she were in receipt of such an allowance for such a child—until the date, in either case, upon which the child attained the age of 15 years, or where, in the opinion of the Minister in any other case, she should be so treated ; or

(iv) where the child in respect of whom she was awarded an allowance under Article 27 or 31 dies before attaining the age of 15 years, for a period of thirteen weeks beginning with the date of the child's death ; or

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

(*b*) at the weekly rate of 20s. in any other case.".

14. In Article 26 of the principal Scheme, as amended(**a**), (which provides for pensions for dependent widowers) for the figures 42s. there shall be substituted the figures 52s. 6d.

15. In Article 27 of the principal Scheme (which provides for the award of allowances in respect of children under the age of 15 years)—

(*a*) in paragraphs (2) and (3), for the figures 11s. there shall be substituted the figures 16s. 6d. ;

(*b*) in paragraph (5), as amended(**b**), for the figures 15s. there shall be substituted the figures 20s.

16. In Article 28 of the principal Scheme, as amended(**b**), (which provides for the award of pensions to motherless or fatherless children under the age of 15 years) for the figures 15s., wherever the same appear, there shall be substituted the figures 20s.

17. In Article 29 (2) of the principal Scheme, as amended(**b**), (which provides for awards to or in respect of children over the age of 15 years) for the figures 21s. 6d. and 32s. 6d. there shall be substituted the figures 30s. and 40s. respectively.

18.—(1) This Scheme may be cited as the Personal Injuries (Civilians) (Amendment) Scheme, 1955, and, subject to the following provisions of this Article, shall come into operation on the 31st January, 1955, so, however, that, in relation to any award payable weekly, the said reference to the 31st January, 1955, where this is not the normal weekly pay day for that award, shall be construed as a reference to the first normal weekly pay day for that award following the 31st January, 1955.

(2) Articles 6, 7, 8, 10, 11 and 12 of this Scheme shall come into operation on the 18th May, 1955.

Made by me, the Minister of Pensions and National Insurance, this 6th day of January, 1955.

Osbert Peake,
Minister of Pensions and National Insurance.

We consent.

Dated this 7th day of January, 1955.

Edward Heath,
Gerald Wills,
Two of the Lords Commissioners of Her Majesty's Treasury.

(**a**) S.I. 1952/874 (1952 II, p. 2418). (**b**) S.I. 1952/1351 (1952 II, p. 2419).

EXPLANATORY NOTE

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

1. This Scheme amends the Personal Injuries (Civilians) Scheme, 1949, as amended by subsequent Schemes.

2. The rate of pensions or allowances is increased—

(*a*) for 100 per cent. disablement, from 55s. to 67s. 6d. a week, with proportionate increases where the degree of disablement is less than 100 per cent. (Article 2);

(*b*) for certain widows and dependent widowers, from 42s. to 52s. 6d. a week (Articles 13 and 14);

(*c*) for children in the care of widows, from 11s. to 16s. 6d. a week (Article 15 (*a*));

(*d*) for motherless or fatherless children and children not under the control of their widowed mothers, from 15s. to 20s. a week or from 21s. 6d. to 30s. a week according to the age of the child (Articles 15 (*b*), 16 and 17);

(*e*) for motherless or fatherless children who, having attained the age of 18 years, are incapable of self-support by reason of an infirmity which arose before they became 15 years of age, from 32s. 6d. to 40s. a week (Article 17).

3. The rates of allowances are increased—

(*a*) for constant attendance, from the normal maximum of 25s. to 30s. a week and from the exceptional maximum—for cases of very severe disablement—of 50s. to 60s. a week (Article 3);

(*b*) for the wear and tear of clothing from £5 and £8 a year to £6 and £10 a year (Article 4);

(*c*) for unemployable pensioners, from 35s. to 45s. a week (Article 5);

(*d*) for the wife or adult dependant of an unemployable pensioner, from a total of 21s. 6d. to a total of 25s. a week and, for the first child, from 10s. 6d. to 11s. 6d. a week (Articles 6, 7 and 8);

(*e*) for lowered standard of occupation, from 20s. to 27s. 6d. a week (Article 9);

(*f*) for the pensioner who, during a course of approved treatment, is not entitled to sickness benefit under National Insurance provisions, from 32s. 6d. to 40s. a week and for such a pensioner's wife (or adult dependant) and first child from 21s. 6d. and 10s. 6d. to 25s. and 11s. 6d. a week respectively (Articles 10, 11 and 12).

4. Provision is also made for the widow who is under 40 years of age and not incapacitated—and who, hitherto, has ceased to be entitled to the higher scale pension because her only or youngest child has attained the age limit for the payment of allowances, 15 years—to retain her higher scale award (Article 13).