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TUESDAY, OCTOBER 29, 1957

At the Court at Buckingham Palace, the 8th day of October, 1957.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS there was this day read at the Board a Memorial from the Right Honourable the Lords Commissioners of the Admiralty, dated the 30th day of September, 1957 (N.P. 4097/57) in the words following, viz.:—

"Whereas by Section 3 of the Naval and Marine Pay and Pensions Act, 1865, it is enacted, *inter alia*, that all pay, pensions or other allowances in the nature thereof payable in respect of service in Your Majesty's Naval or Marine Force to a person being or having been an Officer, Seaman or Marine therein, or to the widow or any relative of a deceased Officer, Seaman or Marine, shall be paid in such manner and subject to such restrictions, conditions and provisions as are from time to time directed by Order in Council:

"And whereas by Orders in Council dated 2nd February, 1937, 9th May, 1940, 17th September, 1942, 22nd July, 1943, and 29th November, 1946, certain improvements were made in the rates of disability retired pay, pensions and allowances payable to or in respect of Officers, Petty Officers, Non-commissioned Officers and Men of Your Majesty's Naval, Marine and Reserve Forces:

"And whereas, with the approval of the Lords Commissioners of Your Majesty's Treasury, payments have been made to pensioners in receipt of disability pensions from the Admiralty, or to the dependants of Naval Officers or ratings, at the same rates, and subject to the same conditions as have been authorised for similar pensioners receiving pensions from the Ministry of Pensions and National Insurance:

"We beg leave humbly to recommend that Your Majesty may be graciously pleased by Your Order in Council to sanction the said improvements in the conditions and rates of disability retired pay, pensions and allowances as set out in the annexed Schedules A, B, C and D with effect from the various dates stated therein.

"The Lords Commissioners of Your Majesty's Treasury have signified their concurrence in these proposals.

"SCHEDULE A.

"RATINGS' DISABLEMENT PENSIONS AND ALLOWANCES.

Increased rate of disability additions for R.N. ratings and R.M. other ranks.

For the rate of 32s. 6d. (100% disablement addition) a week appearing in Order in Council of 6th February, 1922,

Schedule I, Disablement Clause (a), as amended by Orders in Council of 17th September 1942; 22nd July, 1943, and 29th November, 1946, the following rates to be substituted:—

(A) from 7th May, 1952, for pensioners paid weekly, and from 1st May, 1952, in other cases:—
55s. 0d. a week.

(B) from 2nd February, 1955, for pensioners paid weekly, and from 1st February, 1955, in other cases:
67s. 6d. a week.

"2. Family Allowances.

As from 1st January, 1947, the following sub-clauses (a) and (b) to be substituted for sub-clauses (a) (b) (c) (d) and (e) of Clause 2 of Schedule A of Order in Council of 9th May, 1940, as amended by Orders in Council of 17th September, 1942; 22nd July, 1943; and 29th November, 1946:—

'(a) For a wife, if she is living apart from her husband, family element shall not be allowable in respect of her, unless—

(i) she was being regularly maintained in whole or in part by the seaman or marine up to the date of any award or renewal of his disablement pension, and/or

(ii) she is entitled to support under a separation or maintenance order, or

(iii) the separation was caused by the husband's mental instability due to the disability in respect of which he is granted his disablement pension.

(b) For a step-child or legally adopted child the child shall have been regularly maintained in whole or in part by the seaman or marine up to the date of any award or renewal of his disablement pension.'

Sub-clause (f) of Clause 2 to be amended to be sub-clause (c).

"3. Allowances for Unemployable Pensioners.

(A) As from 18th August, 1948, the following Clause to be substituted for Clause 6 of Schedule A to Order in Council of 29th November, 1946:—

'6. Allowances for Unemployable Pensioners.

Where a Seaman or Marine is receiving a pension in respect of a disablement so serious as to make him unemployable he may be granted:—

(a) An allowance by way of supplement at the rate of 30s. a week, provided that:—

(i) due account is taken of any Sickness or Unemployment Benefit or Retirement Pension for which the pensioner may be eligible under the National Insurance Acts;