

Interpretation.

2. The Interpretation Act 1889 (1889 c. 63), shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

General.

3. Except as otherwise indicated, the Schedule to this Order shall have effect from 1st April 1974.

4. The revised rates and conditions of award of widows' and childrens' pensions in respect of the service of deceased Officers, Petty Officers, Non-Commissioned Officers and Men of the Royal Navy and Royal Marines shall be as specified in the Schedule annexed hereto.

N. E. Leigh

SCHEDULE

SECTION I

The Forces Family Pensions Scheme

1. The family pensions and other awards provided for in this Schedule are those payable in respect of the service of deceased Officers, Fleet Chief Petty Officers, Chief Petty Officers, Petty Officers, Non-Commissioned Officers, and Men of the Royal Navy and the Royal Marines, and awards which are payable in respect of deaths which are attributable to service.

2. Except where otherwise stated, the term "Officers" in this Schedule should be read as including Commissioned Officers of the Royal Navy and of the Royal Marines, and "RN ratings and RM other ranks" should be read as including Fleet Chief Petty Officers, Chief Petty Officers, Petty Officers and other ratings of the Royal Navy and Non-Commissioned Officers and other ranks of the Royal Marines.

3. Subject to the detailed regulations set out below family pensions may be paid to eligible members of the families of deceased Officers, RN ratings and RM other ranks who were entitled by service to half pay, retired pay or service pension, or, where death occurred during service, would have been so entitled had they been invalided on the day they died.

SECTION II

Family Pensions

4. The provisions of this Section are effective from 1st April 1974 except as otherwise indicated, and are applicable to the widows and children of Officers, RN ratings and RM other ranks provided the Officer, rating or other rank was granted, or was entitled to, half pay, service retired pay or pension, or if death occurred whilst serving would have been so entitled had he been invalided on the date of death; provided also in the case of RN ratings and RM other ranks (excepting Regimental Sergeant Majors, Royal Marines) that service reckonable for pension was given after 31st August 1950, and that, where death occurred before 4th November 1958, the following periods of reckonable service had been completed:

	<i>Years of Reckonable Service</i>
Fleet Chief Petty Officer	} 22
Regimental Sergeant-Major RM	
Quartermaster Sergeant RM	
Chief Petty Officer	
Colour Sergeant RM	} 27
Petty Officer	
Sergeant RM	
Leading Rating and below	} 32
Corporal RM and below	

5. *Widows' Pensions.* The rate of widows' pensions will be:

(a) One third of the proportion of the husband's rate of half-pay, retired pay or pension, as defined in Clause 5(c), earned by service before 1st April 1973, and one half of the proportion of his rate of half pay, retired pay or pension earned by service on or after that date, unless as provided for under current instructions, the Officer, seaman or marine has elected to purchase an entitlement for his widow to a one-half rate pension in respect of Service before 1st April 1973. Where the pension is calculated by reference to the husband's service invaliding retired pay or pension, the element in the husband's award which is the result of the special enhancement for invaliding will attract a half rate pension. The enhancement is the difference between the rate of invaliding retired pay or pension and a rate calculated at 3 per cent for officers or 2.75 per cent for ratings and other ranks of the maximum rate of retired pay or pension for his rank for each year of service.

(b) Where the cause of death of a man who has been invalided with an award of service attributable retired pay or pension is regarded as not attributable to his service the rate of family pension, if any, will be based on the service invaliding retired pay or pension for which he may have been eligible and not on the higher level of attributable retired pay or pension which he received.

(c) For the purpose of Clause 5(a) above, the rate of half pay, retired pay or pension will be the basic rate, ignoring, subject to the exception in Section V, Clause 26, any commutation that may have been made, plus all the pensions increases appropriate to the basic rate whether or not the husband qualified for these increases by virtue of age or health.

6. *Children.*

(a) If the Officer, RN rating or RM other rank gave service on or after 31st March 1973 the rate of children's pension may be one quarter of the rate of the father's half pay, retired pay or pension for each of two children where there is a widow, and one third of the rate of the father's half pay, retired pay or pension for each of three motherless children.

(b) Where the Officer, RN rating or RM other rank was retired or discharged before 31st March 1973, each child may receive one third or, if motherless, two thirds of the rate of widow's pension appropriate to the rank and service of the officer, rating or other rank.

(c) For the purposes of Clause 6(a) where eligible children are not being maintained by their mother, or where there are more eligible children than the maximum provided for in Clause 6(a) and they are living in separate households, the award of the children's pension may be allocated at the discretion of the Secretary of State for Defence.

7. *Minimum Rates of Family Pensions.* If the rates of pension calculated in accordance with Clause 5 for the widows of Officers, RN ratings or RM other ranks who were retired or discharged before 31st March 1973, or who died in service before