

44. Where such an officer, rating or other rank dies from causes accepted by the Department of Health and Social Security as being attributable to or aggravated by his service or dies in retirement from causes wholly or mainly due to the injury or disease which resulted in his being attributable to the widow or dependent children may be awarded an attributable family pension at the rates shown in Clause 13 of Schedule VIII abated by such part, as provided for in Clause 45 of this Schedule, of any occupational pension benefits put into payment as a result of the husband's or father's death.

45. The amount of civilian pension benefits to be taken into account will, where the civilian pension scheme is one which pays a pension plus a lump sum of six times the annual rate of pension, be the amount of civilian pension awarded. In other cases the amount of civilian pension awarded will, before being taken into account, be adjusted to the rate it would be were the civilian pension scheme one which paid in addition to pension a lump sum equal to six times the annual rate of pension.

46. If an officer, rating or other rank dies in retirement from causes accepted by the Department of Health and Social Security as being attributable to or aggravated by his service but who was not invalidated attributably, the award of attributable family pension will be at the discretion of the Secretary of State for Defence.

47. Where, irrespective of the date of termination of full pay service, an officer, rating, or rank dies as a result of an incident which is accepted by the Department of Health and Social Security as being attributable to his service, the award of an attributable family pension under the provisions of Clauses 44 and 45 may be made provided that, in the case of a regular member of the naval service, the incident took place on or after 1st April 1973 or in the case of members of the Royal Naval Reserve, including officers appointed for duty with the Sea Cadet Corps or Combined Cadet Force, and the Royal Marine Reserve, the incident took place on or after 1st April 1980.

48. An ordinary Forces Family Pension will not be payable in addition to an attributable pension.

49. Rank for the purpose of the award of attributable family pension shall be according to rank for invaliding purposes.

50. Where an award of attributable family pension is

made the payment of a short-term family pension under Clauses 40 and 41 may not exceed 91 days.

51. The date of commencement of an attributable family pension shall normally be the day after the end of payment of the short-term pension under Clauses 40 and 41 unless the Secretary of State for Defence considers there are circumstances justifying special consideration.

Additional Attributable Gratuity

52. Where an RN or RM officer, RNR officer serving in peacetime for 2 or more years with RN, rating or RM other rank dies in service from causes accepted by the Department of Health and Social Services as being attributable to service, a gratuity may be paid to his widow in addition to any gratuity payable by virtue of Clauses 24 to 35 at the rates specified in Clause 14 or Schedule VIII.

SECTION VII

Family Pension Where a War Widow's Pension is Paid

53. Widows of officers, RN ratings and RM other ranks who were retired or discharged before 31st March 1973 and whose death is due to service may receive a family

pension as provided for in the Order in Council

45*

NPP of 4th February 1972 if the family is in receipt of a Department of Health and Social Security War Widows' Pension.

54. The family pension awarded to the widow of an officer will be abated by the difference between her war widow's pension and the war widow's pension for the widow of a Fleet Chief Petty Officer. The children's pension will not be subject to such reductions.

Temporary Allowance

55. Where an award of Temporary Allowance for widows is made by the Department of Health and Social Security for the first 26 weeks of widowhood, payment of the family pension or attributable family pension is deferred until the 27th week of widowhood, unless the Department of Health and Social Security War Widow's pension plus the family pension or attributable family pension is more beneficial than the Temporary Allowance. Where this occurs, a supplementary award equal to the shortfall will be made.

SCHEDULE VIII

SECTION 1

1. When an officer's or rating's reckonable service exceeds an exact number of years (up to and including 33 or 36 years as appropriate) by one or more complete days of a year, his retired pay or pension will be increased by that number of days as a fraction of 365 of the difference between the rate for the number of years completed and the rate that would have been awarded had a further year been served. In this Clause the terms retired pay and pension includes service invaliding retired pay or pension.

2.—(a) An Admiral of the Fleet is eligible for:

(1) Half pay at the rate of £16,750 per annum.

(2) Active List Retired Pay at the rate of £16,248 per annum.

(b) Rates of Service Retired Pay:

Number of years' reckonable service over age 21	Lieutenant RN and RM and below	Lieutenant- Commander RN; Captain RM	Commander RN; Major RM	Captain RN (with less than 6 years' service in the rank); Lieutenant- Colonel RM
	£pa	£pa	£pa	£pa
16	2,604	3,135	3,821	4,488
17	2,727	3,284	3,998	4,696
18	2,850	3,433	4,174	4,903
19	2,972	3,582	4,351	5,111
20	3,095	3,731	4,528	5,319
21	3,218	3,880	4,704	5,527
22	3,341	4,029	4,881	5,734
23	3,464	4,178	5,058	5,942
24	3,587	4,327	5,234	6,150
25	3,709	4,476	5,411	6,357
26	3,832	4,625	5,588	6,565
27	3,955	4,774	5,764	6,773
28	4,078	4,923	5,941	6,981
29	4,201	5,072	6,118	7,188
30	4,324	5,221	6,294	7,396
31	4,446	5,370	6,471	7,604
32	4,569	5,519	6,648	7,812
33	4,692	5,668	6,824	8,019
34	4,815	5,817	7,001	8,227