
S T A T U T O R Y I N S T R U M E N T S

1983 No. 1521

PENSIONS

**The Naval, Military and Air Forces etc.
(Disablement and Death) Service Pensions
Amendment (No. 2) Order 1983**

<i>Made</i>	- - - -	19th October 1983
<i>Laid before Parliament</i>		27th October 1983
<i>Coming into Operation</i>		21st November 1983

At the Court at Buckingham Palace, the 19th day of October 1983

Present,

The Queen's Most Excellent Majesty in Council

WHEREAS Her Majesty deems it expedient to further amend the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983(a) and to do so by Order in Council in pursuance of section 12(1) of the Social Security (Miscellaneous Provisions) Act 1977(b):

Now, THEREFORE, Her Majesty, in exercise of the powers conferred by the said section 12(1) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and interpretation

1.—(1) This Order, which may be cited as the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Amendment (No. 2) Order 1983, shall come into operation on 21st November 1983, immediately after the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Amendment Order 1983(c) has come into operation.

(2) In this Order the expression “the principal Order” means the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983.

(a) S.I. 1983/883, as amended by S.I. 1983/1116.

(b) 1977 c. 5.

(c) S.I. 1983/1116.

Amendment of article 26A of the principal Order

2. In article 26A of the principal Order (mobility supplement)—

(a) for paragraph (3) there shall be substituted the following paragraph:—

“(3) Subject to paragraph (4), a mobility supplement under this article shall not be payable to a member for any period in respect of which he has the use of an invalid carriage or other vehicle provided under any of the statutory provisions referred to in paragraph (1)(c)(i),”;

(b) after paragraph (3) there shall be added the following paragraph:—

“(4) In a case where the Secretary of State is satisfied—

(a) that a member has purchased or taken on hire, hire purchase or lease a private car or similar vehicle (in this paragraph called “the car”) for a consideration which is more than nominal;

(b) that the member intends to retain possession of the car in order to learn to drive it; and

(c) that the member will use a mobility supplement under this article in whole or in part towards meeting the expenses of acquiring the car,

paragraph (3) shall not apply during such period as the Secretary of State may consider reasonable, beginning on the date of his acquisition of the car, or 21st November 1983, whichever is the later.”.

Amendment of article 33 of the principal Order

3. In sub-paragraph (b) of article 33(2) of the principal Order (temporary personal allowance to widows of severely disabled pensioners) after the words “article 17 or 18(5)(c)” there shall be inserted the words “or a supplement under article 26A”.

N. E. Leigh,
Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order further amends the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983 (“the principal Order”).

Article 2 amends article 26A of the principal Order to enable a mobility supplement to be awarded notwithstanding that the member has, in respect of the same period, been in receipt of a mobility allowance under the Social Security Act 1975 (c.14) or the Social Security (Northern Ireland) Act 1975 (c.15(N.I.)). Article 26A is also amended to allow payment of a mobility supplement to a member who continues to have the use of an invalid carriage while he learns to drive a private car which he has recently acquired.

Article 3 amends article 33 of the principal Order so as to provide that the amount of a mobility supplement payable under article 26A of that Order to a war disablement pensioner immediately before his death is not included in the computation of a temporary personal allowance payable to his widow.

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