
 STATUTORY INSTRUMENTS

1983 No. 1540

PENSIONS

**The Personal Injuries (Civilians) Amendment (No. 2) Scheme
1983**

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

The Secretary of State for Social Services, with the consent of the Treasury, in exercise of the powers conferred by section 2 of the Personal Injuries (Emergency Provisions) Act 1939 (a) and now vested in him (b), and of all other powers enabling him in that behalf, hereby makes the following Scheme:—

Citation, commencement and interpretation

1.—(1) This Scheme may be cited as the Personal Injuries (Civilians) Amendment (No. 2) Scheme 1983 and shall come into operation on 21st November 1983, immediately after the Personal Injuries (Civilians) Amendment Scheme 1983 (c) has come into operation.

(2) In this Scheme, the expression “the principal Scheme” means the Personal Injuries (Civilians) Scheme 1983 (d).

Amendment of Article 25A of the principal Scheme

2. In Article 25A of the principal Scheme (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 disabled person 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 disabled person 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 disabled person intends to retain possession of the car in order to learn to drive it; and

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

(a) 1939 c.82.

(b) See Transfer of Functions (Ministry of Pensions) Order 1953 (S.I. 1953/1198), Article 2; Ministry of Social Security Act 1966 (c.20), section 2; Secretary of State for Social Services Order 1968 (S.I. 1968/1699), Article 2.

(c) S.I. 1983/1164.

(d) S.I. 1983/686, as amended by S.I. 1983/1164.

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 31 of the principal Scheme

3. In sub-paragraph (b) of Article 31(2) of the principal Scheme (temporary personal allowance to widows of severely disabled persons) after the words “Article 17 or 18(5)(c)” there shall be inserted the words “or a supplement under Article 25A”.

Signed by authority of the Secretary of State for Social Services.

Tony Newton,
Parliamentary Under-Secretary of State,
Department of Health and Social Security.

11th October 1983.

We consent,

T. Garel-Jones,
D. J. F. Hunt,
Two of the Lords Commissioners
of Her Majesty’s Treasury.

19th October 1983.

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This Scheme further amends the Personal Injuries (Civilians) Scheme 1983 (“the principal Scheme”).

Article 2 amends Article 25A of the principal Scheme to enable a mobility supplement to be awarded notwithstanding that the disabled person 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). Article 25A is also amended to allow payment of a mobility supplement to a disabled person 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 31 of the principal Scheme so as to provide that the amount of a mobility supplement payable under Article 25A of that Scheme to a disabled person immediately before his death is not to be included in the computation of a temporary personal allowance payable to his widow.

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