STATUTORY INSTRUMENTS

2018 No. 290

PENSIONS

The Personal Injuries (Civilians) Scheme (Amendment) Order 2018

Made - - - -	*20th February 2018*
Laid before Parliament	*8th March 2018*
Coming into force - -	*9th April 2018*

The Secretary of State, with the approval of the Treasury, makes the following Order in exercise of the powers conferred by sections 1 and 2 of the Personal Injuries (Emergency Provisions) Act 1939(**1**).

Citation and commencement

1. This Order may be cited as the Personal Injuries (Civilians) Scheme (Amendment) Order 2018 and comes into force on 9th April 2018.

Amendment of the Personal Injuries (Civilians) Scheme 1983

2.—(1) The Personal Injuries (Civilians) Scheme 1983(**2**) ("the Scheme") is amended as follows.

(2) For the table in Schedule 3 to the Scheme (rates of pensions and allowances payable in respect of disablement and earnings or income thresholds), substitute—

(**1**) 1939 c. 82. Sections 1 and 2 of the 1939 Act confer power to make a scheme, and orders amending a scheme, on "the Minister"; functions of the Minister now sit with the Secretary of State by virtue (successively) of article 2 of the Transfer of Functions (Ministry of Pensions) Order 1953 (S.I. 1953/1198), section 2 of the Ministry of Social Security Act 1966 (c. 20), article 2 of the Secretary of State for Social Services Order 1968 (S.I. 1968/1699), article 3 of the Transfer of Functions (Health and Social Security) Order 1988 (S.I. 1988/1843) and article 2 of the Transfer of Functions (War Pensions etc.) Order 2001 (S.I. 2001/3506).

(**2**) S.I. 1983/686; relevant amending instruments are S.I. 1983/1164, 1983/1540, 1984/1289, 1984/1675, 1985/1313,1986/628, 1987/191, 1988/367, 1989/415, 1990/1300, 1991/708, 1992/702, 1993/480, 1994/715, 1994/2021, 1995/445, 1996/502, 1997/812, 1998/278, 1999/262, 2000/301, 2001/420, 2002/672, 2003/637, 2004/717, 2005/655, 2005/1639, 2005/3031, 2006/765, 2007/646, 2008/592, 2009/438, 2010/283, 2011/811, 2012/670, 2013/707, 2014/444, 2015/555 and 2017/149.

"**Table**

Description of Pension or Allowance	*Rate*
1. Pension for 100 per cent disablement under article 11	£185.40 per week
2. Education allowance under article 13	£120.00 per annum(†)
3. Constant attendance allowance under article 14	
A. For decisions made before 9th April 2001—	
(a) under the provisos to article 14	£139.80 per week(†)
(b) in any other case under article 14	£69.90 per week(†)
B. For decisions made on or after 9th April 2001—	
(a) the part day rate of constant attendance allowance under article 14(2)	£34.95 per week
(b) the full day rate of constant attendance allowance under article 14(3)	£69.90 per week
(c) the intermediate rate of constant attendance allowance under article 14(4)	£104.85 per week
(d) the exceptional rate of constant attendance allowance under article 14(5)	£139.80 per week
4. Exceptionally severe disablement allowance under article 15	£69.90 per week
5. Severe disablement occupational allowance under article 16	£34.95 per week
6. Allowance for wear and tear of clothing under article 17(1)	£239.00 per annum
7. Unemployability allowances—	
(a) personal allowance under article 18(1)(i)	£114.55 per week
(b) additional allowances for dependants by way of—	
(i) increase of allowance in respect of a spouse, civil partner or adult dependant under article 18(5)(b)	£63.65 per week(†)
(ii) increase of allowance under article 18(5)(d)	
(aa) in respect of only, elder or eldest child	£14.80 per week
(bb) in respect of each other child	£17.40 per week
(cc) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992(**3**) or under any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£17.40 per week
For decisions made on or after 9th April 2001	

(†) Maximum amount payable

()
()
()
()
(**3**) 1992 c. 4.

Description of Pension or Allowance	*Rate*
(c) the annual earnings figure for the purposes of article 18 (2) is £6,526	
(d) the weekly income figure for the purposes of article 18(5)(b) is £73.10	
8. Invalidity allowance payable under article 19	
(a) if—	
(i) the relevant date fell before 5th July 1948;	
(ii) on the relevant date the disabled person was under the age of 35; or	£22.65 per week
(iii) on the relevant date the disabled person was under the age of 40 and had not attained the age of 65, in the case of a disabled person being a man, or 60, in the case of that person being a woman, before 6th April 1979 and the period in respect of which payment of the allowance is to relate begins on or after 6th April 1979	
(b) if—	
(i) on the relevant date the disabled person was aged 35 or over but under the age of 45;	
(ii) on the relevant date the disabled person was aged 40 or over but under the age of 50 and had not attained the age of 65, in the case of a disabled person being a man, or 60, in the case of that person being a woman, before 6th April 1979 and the period in respect of which payment of the allowance is to relate begins on or after 6th April 1979	£14.70 per week
(c) if sub-paragraph (a) or (b) does not apply and on the relevant date the disabled person was under the age of 60	£7.35 per week
9. Comforts Allowance—	
(a) under article 20(1)(a)	£30.10 per week
(b) under article 20(1)(b) or 45(1)	£15.05 per week
10. Allowance for lowered standard of occupation under article 21	£69.92 per week(†)
11. Age Allowance under article 22 where the degree of pensioned disablement is—	
(a) 40 or 50 per cent.	£12.40 per week
(b) 60 or 70 per cent.	£19.10 per week
(c) 80 or 90 per cent.	£27.15 per week
(d) 100 per cent.	£38.20 per week
12. For decisions made before 9th April 2001	

(†) Maximum amount payable