STATUTORY INSTRUMENTS

2017 No. 149

PENSIONS

The Personal Injuries (Civilians) Scheme (Amendment) Order 2017

Made - - - -	*8th February 2017*
Laid before Parliament	*15th February 2017*
Coming into force - -	*10th April 2017*

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 2017 and comes into force on 10th April 2017.

Amendment of the Personal Injuries (Civilians) Scheme 1983

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

Amendment of Schedule 3 (rates of pensions and allowances payable in respect of disablement and earnings or income thresholds)

3. For the table in Schedule 3 to the Scheme substitute the table in Schedule 1 to this Order.

Amendment of Schedule 4 (rates of pensions and allowances payable in respect of death)

4. For the table in Schedule 4 to the Scheme substitute the table in Schedule 2 to this Order.

(**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" but the functions of the Minister referred to in those sections were transferred to the Secretary of State for Social Security by article 3 of the Transfer of Functions (Health and Social Security) Order 1988 (S.I. 1988/1843) and the functions of the Secretary of State for Social Security were transferred to the Secretary of State by 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 and 2015/555.

Mark Lancaster
Parliamentary Under Secretary of State
1st February 2017 Ministry of Defence
Andrew Griffiths
David Evennett
Two of the Lords Commissioners of Her
8th February 2017 Majesty's Treasury

SCHEDULE 1 Article 3

TABLE TO BE SUBSTITUTED FOR THE TABLE IN SCHEDULE 3 TO THE SCHEME

"**Table**

RATES OF PENSIONS AND ALLOWANCES PAYABLE IN RESPECT OF DISABLEMENT AND EARNINGS OR INCOME THRESHOLDS

Description of Pension or Allowance	**Rate**
1. Pension for 100 per cent disablement under article 11	£180.00 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	£135.80 per week*
(b) in any other case under article 14	£67.90 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)	£33.95 per week
(b) the full day rate of constant attendance allowance under article 14(3)	£67.90 per week
(c) the intermediate rate of constant attendance allowance under article 14(4)	£101.85 per week
(d) the exceptional rate of constant attendance allowance under article 14(5)	£135.80 per week
4. Exceptionally severe disablement allowance under article 15	£67.90 per week
5. Severe disablement occupational allowance under article 16	£33.95 per week
6. Allowance for wear and tear of clothing under article 17(1)	£232.00 per annum
7. Unemployability allowances—	
(a) personal allowance under article 18(1)(i)	£111.20 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)	£61.80 per week*
(ii) increase of allowance under article 18(5)(d)	
(aa) in respect of only, elder or eldest child	£14.35 per week
(bb) in respect of each other child	£16.90 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	£16.90 per week

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