

2/7/1920.

ROYAL WARRANT

FOR THE

RETIRED PAY OF OFFICERS (ARMY) DISABLED, AND FOR
THE PENSIONS OF THE FAMILIES AND RELATIVES
OF OFFICERS DECEASED, AND FOR THE PENSIONS
OF NURSES DISABLED AND OF THE RELATIVES
OF NURSES DECEASED, IN CONSEQUENCE OF
THE GREAT WAR.

Presented to Parliament by Command of His Majesty.



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1920.

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ROYAL WARRANT

FOR THE RETIRED PAY OF OFFICERS (ARMY) DISABLED, AND FOR THE PENSIONS OF THE FAMILIES AND RELATIVES OF OFFICERS DECEASED, AND FOR THE PENSIONS OF NURSES DISABLED AND OF THE RELATIVES OF NURSES DECEASED, IN CONSEQUENCE OF THE GREAT WAR.

GEORGE R.I.

WHEREAS We deem it expedient to make further provision concerning the retired pay of officers disabled, the pensions of the families and relatives of officers deceased, and the pensions of nurses disabled and of the relatives of nurses deceased, whose claims arise in respect of service during the Great War (hereinafter referred to as "the war") and to provide for their administration by Our Minister of Pensions (hereinafter styled "the Minister") in accordance with the Ministry of Pensions Act, 1916:

OUR WILL AND PLEASURE IS that as from the 1st day of April 1920, the provisions of this Our Warrant shall take effect in place of the provisions of Our Warrant of the 1st August 1917, concerning the retired pay of officers disabled and the pensions of the families and relatives of officers deceased, and the pensions of nurses disabled, in consequence of the war and that this Our Warrant shall, except in the cases stated in the Warrant of Her Majesty Queen Victoria of the 27th October 1884, and except as otherwise provided by Statute, be established and obeyed as the sole authority in the matters herein treated of, and that the Minister shall, subject to the provisions of the War Pensions (Administrative Provisions) Act, 1919, be the sole administrator and interpreter of this Our Warrant, and shall be empowered to issue such detailed Instructions in reference thereto as he may from time to time deem necessary.

This Our Warrant shall apply to all officers and their relatives whose claims to retired pay, pensions or grants of the nature dealt with therein arise in respect of service during the war, and to members of Our Nursing Services hereinafter specified and their relatives whose claims similarly arise, and it shall, subject to the provisions of the Fifth Schedule hereto, have effect from 1st April 1920. In the case of such persons whose claims to retired pay, pensions or gratuities have been dealt with or arose under previous Warrants the terms of this Our Warrant may, if more beneficial to them, and subject to the provisions of the Fifth Schedule hereto, be applied with retrospective effect from the above date.

The retired pay of an officer or the retired pay or pension of a nurse who has served as such before the date of this Our Warrant may be assessed under the terms of Our previous Warrants regulating retired pay or pensions if more favourable to him or her than this Our Warrant; and no grant to an officer or to the family or relatives of an officer, or to a nurse, shall be re-assessed to their disadvantage; and any widow, child or dependant of an officer promoted from the ranks during the war shall not be less favourably treated than if the officer had continued to serve as a soldier.

PART I.—OFFICERS DISABLED.

Retired pay for officers retired, &c., on account of disablement.

1. An officer who retires, relinquishes his commission, reverts to unemployment, or is placed in the Territorial Force Reserve, on account of medical unfitness certified as either attributable to or aggravated by military service during the war, and not being due to his serious negligence or misconduct, may, subject to Article 8, be granted the retired pay shown in columns 3 to 8 of Part I. of the First Schedule to this Our Warrant which corresponds to the degree of his disablement as certified: Provided that—

(1) If the officer (other than an officer to whom Our Warrant of the 19th December 1919 applies) holds a permanent commission in Our Regular Forces he may be granted—

Regular officer with permanent commission.

(a) if he retires, the retired pay or gratuity for which he is eligible under Our Warrant of 13th September 1919, for the Pay, Half-pay and Retired Pay of officers (or where his service does not entitle him to such retired pay, the annual sum set forth in Part II. of the First Schedule hereto), together with an addition as in column 9 of Part I. of the said Schedule, but so that the total retired pay under this paragraph is in no case less than the officer's half-pay as laid down by the said Warrant of 13th September 1919, according to his substantive rank at the time of his retirement; and

(b) if he reverts to unemployment and is already in receipt of service retired pay, whether re-assessed or not under the said Warrant of 13th September 1919, such retired pay, together with an addition as in column 9

of Part I. of the said Schedule, and, if the officer has been promoted during the war, and before being pronounced permanently unfit for general service, to a rank higher than that for which such service retired pay was awarded, a further addition corresponding to the difference between the retired pay under columns 3 to 8 of Part I. of the First Schedule hereto appropriate to the rank for which such service retired pay was awarded and the retired pay under such columns appropriate to his higher rank;

but so that in no case shall the retired pay under this Warrant of such officer be less than the retired pay to which he would have been entitled under columns 3 to 8 of Part I. of the said Schedule.

(2) If the officer served as a soldier in Our Regular Forces and does not hold a permanent commission in those Forces he may be granted—

Temporary officer who has served as a soldier.

(a) if in receipt of a service pension, or retired pay or gratuity under Our Warrant of 3rd May 1918, that pension, retired pay, or gratuity, with an addition for his disability as in the last column of Part I. of the First Schedule hereto: provided that where his service was continuous he may be granted at any time, if more favourable to him, the permanent pension he would have received if he had continued to serve in the rank from which he was promoted and had not been pensioned when promoted to a commission;

(b) if in receipt of a permanent pension for a disability which has been aggravated by military service as an officer during the war, and if he was eligible for a service pension when discharged for disability, such service pension with an addition as in column 9 of Part I. of the First Schedule hereto;

(c) if not within the terms of paragraph (a) or (b) above, the permanent pension he would have received if he had continued to serve in the rank from which he was promoted, if qualified therefor by length of service, whether his service was continuous or not;

but so that in no case shall the retired pay under this Warrant of such officer be less than the retired pay to which he is entitled under columns 3 to 8 of Part I. of the First Schedule hereto.

(3) If the officer is in receipt of a wounds pension, he may be granted only—

If in receipt of wounds pension.

(a) retired pay at the rate and under the conditions laid down in Our Warrant of the 1st December 1914 for the Pay, Appointment, Promotion, and Non-effective Pay of Our Army, with an addition (subject to conditions and limitations approved by the Minister) not exceeding 20 per cent. of such retired pay and the wounds pension; or

(b) if he is an officer to whom proviso (1) (a) of this article applies, the retired pay or gratuity for which he is eligible under Our said Warrant of the 13th September 1919; or

(c) if he is an officer to whom proviso (1) (b) of this article applies, the service retired pay therein referred to; or

(d) the difference between the wounds pension and the retired pay to which the officer would be entitled under this Our Warrant if he was not in receipt of wounds pension;

whichever be the greatest.

(4) If the officer has lost the sight of both eyes as the result of wounds received in action he shall be granted not less than 300% a year in wounds pension and retired pay taken together.

If totally blinded in action.

(5) Subject to the preceding provisos, if the officer is already in receipt of pension or retired pay as a soldier or an officer it shall be suspended so long as he is receiving a higher rate under this Our Warrant.

If already receiving pension or retired pay.

1A. If an officer on or after demobilisation, or on or after retirement, or relinquishing his commission, or transfer to or reversion to the Reserve or to unemployment, otherwise than for misconduct or in circumstances which do not, in the opinion of the Minister, justify the award, is certified to be disabled by wounds, injuries or disease attributable to or aggravated by military service during the war, such disablement not having been caused or aggravated by his serious negligence or misconduct, he may be granted retired pay or gratuity as if he had retired on account of medical unfitness under Articles 1 or 8 of this Our Warrant, with effect from the date from which his claim is established. But the benefit of proviso (1) to Article 1 shall only be granted if the officer is certified to have been permanently unfit for general service on his retirement or reversion to unemployment.

Disablement on or after retirement.

Retired pay to be temporary at outset.

1B. Except in those cases where the disablement has reached its final condition a grant of retired pay shall be temporary at the rate appropriate to the temporary disablement, and the grant shall be reviewed from time to time until a permanent assessment can be made or the grant ceases.

Education allowances for children of disabled officers.

2.—(1) In cases of pecuniary need the Minister may, at his discretion, grant to a disabled officer who is in receipt of or eligible for retired pay under this Our Warrant an education allowance not exceeding 80*l.* a year in respect of each child above the age of 8. The continuance of the allowance shall depend upon the continuance of the retired pay and on the Minister being satisfied as to the education the child is receiving.

(2) In any case in which, in the opinion of the Minister, it may become necessary to secure the proper care of a child on behalf of whom an education allowance is payable, the allowance instead of being paid to the parent may be administered under such conditions as the Minister may determine.

Alternative retired pay.

3.—(1) An Officer in receipt of retired pay under Article 1 of this Our Warrant, or of a wounds pension in lieu thereof, whose pre-war earnings (excluding any addition thereto under paragraph (b) of Article 30 (5)) exceeded 132*l.* a year and who, within one year of the date of this Our Warrant or one year after the notification to him of the first award of retired pay under Article 1, whichever is the later date, shall prove to the satisfaction of the Minister the amount of his pre-war earnings, may, at the same time or at any time thereafter, make application for alternative retired pay, and if he shows that his retired pay, together with any wounds pension of which he is in receipt, and together with the average earnings of which he remains capable, are less than his proved pre-war earnings he may be granted alternative retired pay in lieu of retired pay or retired pay and wounds pension.

Alternative retired pay may be granted temporarily or permanently, and shall be of an amount which, together with any wounds pension of which the officer is in receipt, and together with the average earnings (if any) of which he is judged capable, shall not exceed his pre-war earnings up to 300*l.* a year plus half any pre-war earnings between 300*l.* and 600*l.* a year: provided that—

(a) in assessing the average earnings (if any) of which an officer remains capable any decrease thereof not due to the disablement for which the officer is in receipt of retired pay or wounds pension shall be disregarded, and the refusal or neglect to undergo any course of treatment or training which in the opinion of the Minister would materially increase the officer's earning capacity may be taken into account; and

(b) where owing to physical incapacity or other cause over which the officer had no control he has been unable to prove the amount of his pre-war earnings within the time above specified the Minister may, in his discretion, extend such time.

(2) Alternative retired pay shall be payable as from the date from which the claim thereto is established.

(3) Where, in the opinion of the Minister, it may become necessary to secure the proper care of a child of an officer in receipt of alternative retired pay the Minister may deduct from the alternative retired pay such sum as he may deem sufficient for the maintenance of such child, and may administer the same under such conditions as he may determine.

Permanent awards to disabled officers.

4.—(1) When permanent retired pay has been granted, it shall not be altered on account of any change in the officer's earning capacity, whether resulting from training or other cause; neither shall it be subject to review except—

(a) when an officer whose retired pay is assessed under Article 1 of this Our Warrant claims that there has been a substantial increase in the extent of the disablement due to the original cause;

(b) when an officer whose retired pay is assessed under Article 1 of this Our Warrant, and who has duly proved his pre-war earnings as provided by Article 3 shows that it would be more advantageous to him to be assessed under that Article; or

(c) under the following subsection or under Article 30A or 30B.

Review of retired pay.

(2) The Minister may at any time order the review of any retired pay in any case where—

(a) retired pay has, by error in interpretation or fact, been granted to a disabled officer in excess of the amount appropriate to the degree of his disablement;

- (b) the Minister has reason to believe that retired pay has been obtained by any improper means; or
 (c) retired pay has been granted by error.

5. Half the retired pay awarded under the preceding Articles may be subject to the condition that the disabled officer shall undergo medical treatment in an institution or otherwise for any period during which it is certified that such treatment is necessary in his interests. Conditions as to undergoing treatment.

Such misconduct of the officer as shall render it necessary, in the discretion of the Minister, to discontinue treatment may be deemed to be refusal to undergo treatment.

6. In any case where it is certified that an officer should undergo any course of medical treatment in an institution or otherwise for a disability which renders him eligible for retired pay or gratuity under Articles 1 or 8 of this Our Warrant, he may be granted, for such period and subject to such conditions as the Minister may determine— Grants to disabled officers undergoing treatment.

(a) retired pay at the rate for the highest degree of disablement (subject to any necessary adjustments in respect of wounds pension, retired pay or gratuity already awarded) for the purpose of undergoing the treatment which he is certified to require and whilst deemed unable in consequence to provide for his own support and that of his family, a deduction of such an amount as the Minister may determine being made from the officer's retired pay on account of the cost of his maintenance in the institution;

(b) if he is certified to require treatment which does not render him unable to provide for his own support and that of his family, but requires him to absent himself from his work on one or more occasions in the week, an allowance not exceeding 1*l.* a week for the time he is required to absent himself;

(c) the necessary medical and other expenses and allowances incidental to the treatment of such disability up to such amount as the Minister may determine.

7. In addition to any retired pay awarded under the foregoing Articles, or any wounds pension in lieu thereof, there may be granted, under such conditions as the Minister may determine, to or on behalf of an officer disabled in the highest degree, an allowance not exceeding 100*l.* a year in any case where a constant attendant is necessary. Constant attendance allowance.

8. In any case where the degree of disablement is assessed at less than 20 per cent. or, in exceptional circumstances, where it is considered by the Minister more in the interests of the Officer, a gratuity or temporary allowance may be granted in place of any retired pay under this Our Warrant. The grant will be subject to such conditions as the Minister may determine and its amount will not exceed 500*l.* and will depend on the nature of the disablement and other circumstances of the case. Gratuities for minor disablements.

9. An officer who retires, relinquishes his commission, reverts to unemployment, or is placed in the Territorial Force Reserve on account of medical unfitness, such unfitness being neither attributable to nor aggravated by military service, and not being due to the serious negligence or misconduct of the officer, may be granted a gratuity or temporary allowance. The grant will be subject to such conditions as the Minister may determine. In exceptional circumstances it may amount to a sum not exceeding 300*l.*, and generally it will depend on the extent to which the officer is incapacitated and on the other circumstances of the case. Where disablement not attributable to service.

PART II.—WIDOWS AND OTHER RELATIVES OF OFFICERS DECEASED.

10. Pensions and gratuities to the widows, children and relatives of deceased officers, for which provision is made in the following Articles, shall only be given as a reward of the officer's services, and no pension or gratuity shall be granted or continued to a deceased officer's widow or relative who, in the opinion of the Minister, is unworthy of a grant from public funds, and it shall be in the power of the Minister to terminate or suspend any pension that may have been granted to any such person or to provide for the administration of a pension or gratuity under such conditions as he may determine. General conditions for pensions to officers' widows and relatives.

Pensions to
officers'
widows.

11. The widow of an officer may be granted—

(1) If the officer, otherwise than through his serious negligence or misconduct—

- (a) is killed in action, or suffers violent death due directly and wholly to war service, or is killed or dies of injuries sustained on flying duty or while being carried on duty in aircraft under proper authority, or dies within seven years from wounds or injuries so received, or
- (b) dies from illness which is certified as directly traceable to fatigue, privation, or exposure incident to active operations in the field within seven years after having been first removed from duty on account of such illness, or
- (c) dies in consequence of injuries received in the performance of military duty otherwise than under (a) within seven years after having been so injured,

and the widow is over 40 years of age, or has a child eligible for an allowance under the Article next following, a pension as in the second column of the Second Schedule hereto; but if the widow is not over 40 and has no child so eligible then a pension as in the third column of the said Schedule.

(2) If the officer, otherwise than through his serious negligence or misconduct—

- (a) dies of disease attributable to or aggravated by military service other than under subsection (1) (b) of this Article within seven years after having been first removed from duty on account of such disease, or
- (b) dies of injuries attributable to military service other than under subsection (1) (a) or (1) (c) of this Article, within seven years after having been first removed from duty on account of such injuries,

and the widow is over 40 years of age, or has a child eligible for allowance under the Article next following, a pension as in the fourth column of the Second Schedule hereto; but if the widow is not over 40 and has no child so eligible, then a pension as in the fifth column of the said Schedule.

(3) If the officer dies in the circumstances referred to in subsection (1) (a) of this Article, a gratuity, in addition to pension, as in the sixth column of the Second Schedule hereto.

Gratuities to
officers'
widows.

Children's
allowances
to officers'
widows.

12.— (1) The widow of an officer awarded a pension under the preceding Article may be granted a further allowance at the rate of 36*l.* a year for each child maintained by her.

This allowance may be granted or continued up to the age of 18 in the case of sons and up to the age of 21 in the case of daughters, unless the child is otherwise provided for or marries, and may be granted or further continued after such ages in the case of children who are apprentices receiving not more than nominal wages, or are being educated at a secondary school, technical institute, or university.

(2) The above allowance may also be granted or continued after the specified ages in very special cases in which it is shown (a) that the child became afflicted during the officer's lifetime with some mental or bodily infirmity rendering it dependent upon him and incapable of making adequate exertion for its own support; (b) that such incapacity dates from a period before the child reached the limit of age; and (c) that it is in distressed circumstances. The allowance may be granted or continued for such term as the Minister may decide.

(3) If the officer dies in the circumstances referred to in Article 11 (1) (a) a gratuity of one-third of the amount laid down in the sixth column of the Second Schedule hereto may be granted, in addition to children's allowance, for each child.

(4) The widow of an officer awarded a pension under Article 11 or 13 may, if in pecuniary need, be granted, at the discretion of the Minister, an education allowance not exceeding 80*l.* a year for each child above the age of 8. The continuance of the allowance shall depend on the Minister being satisfied as to the education the child is receiving.

(5) In any case in which, in the opinion of the Minister, it may become necessary to secure the proper care of a child on behalf of whom an allowance is payable, the allowance, instead of being paid to the widow, may be administered under such conditions as the Minister may determine.

13.—(1) A widow who—

Alternative
pension to
widows.

(a) is over 40 years of age or has a child eligible for an allowance under the preceding Article,

(b) is in receipt of a pension under Article 11 of this Our Warrant, and

(c) makes application and shows that she was married to the officer before the commencement of the war or of his military service, whichever was the later, and that her pension under Article 11 with any children's allowances under Article 12 (1), and (2) and any pension under Article 17 in respect of the officer is, or eventually may be, less than two thirds of the alternative retired pay that might have been awarded to her husband under Article 3 had he survived and been incapable of supplementing that retired pay by earnings, may be granted, in lieu of such pension and such children's allowances and pension, an alternative pension (which shall not exceed two thirds of such alternative retired pay) up to a maximum of 300*l.* a year : provided—

(i) that application shall be made within one year of the date of this Our Warrant, or one year after notification to the widow of the award of pension under Article 11, whichever is the later;

(ii) that such widow's pension under Article 11 (together with any such children's allowances and pension) shall, if greater than the alternative pension assessed under this subsection, continue until it becomes less than the alternative pension;

(iii) that if a widow to whom an alternative pension has been granted under this subsection ceases to be eligible for a pension under this subsection, but would be eligible for a pension under subsection (2) of this Article, her alternative pension shall cease to be calculated under this subsection and shall be thenceforth calculated under that subsection; and

(iv) that the provision in Article 3 (3) of this Our Warrant to secure the proper care of a child shall apply in the case of any pension awarded under this subsection.

(2) A widow who—

(a) is not over 40 years of age and has no child eligible for an allowance under the preceding Article,

(b) is in receipt of a pension under Article 11, and

(c) makes application and shows that she was married to the officer before the commencement of the war or of his military service, whichever was the later, and that her pension under Article 11 with any pension under Article 17 in respect of the officer is, or eventually may be, less than one half of the alternative retired pay that might have been awarded to her husband under Article 3 had he survived and been incapable of supplementing that retired pay by earnings, may be granted, in lieu of such pension, an alternative pension (which shall not exceed one half of such alternative retired pay) up to a maximum of 225*l.* a year : provided—

(i) that application shall be made within one year of the date of this Our Warrant or one year after the notification to the widow of the award of pension under Article 11, whichever is the later;

(ii) that such widow's pension under Article 11 (together with any pension under Article 17) shall, if greater than the alternative pension assessed under this subsection, continue until it becomes less than the alternative pension;

(iii) that when the widow reaches the age of 40 the alternative pension may be raised from one-half of such alternative retired pay to two-thirds thereof up to a maximum of 300*l.* a year.

(3) If the officer's pre-war earnings (exclusive of the addition under Article 30 (5) (b)), were less than 132*l.* a year, his pre-war earnings (inclusive of such addition) may be substituted for the alternative retired pay in the preceding subsections of this Article.

(4) Any pension under Article 17 shall be deducted from a widow's alternative pension.

14. The widow of an officer not eligible for pension under Article 11 may be granted a gratuity of not less than one and not more than three years' pay of the appointment held by the officer : provided that—

(a) the officer dies during the war, while on full pay, or, after removal from full pay, from the injury or disease for which he was removed from full pay or

Gratuity to
widow
where death
is not attri-
butable.

some closely connected disease and there is a continuous medical history of sickness; and

(b) the widow is disqualified only through the insufficiency of the officer's service for an ordinary pension under the terms of Article 660 of Our said Warrant of 1st December 1914.

The amount of the gratuity, within the above limits, shall be at the discretion of the Minister, and may be paid in a lump sum or in instalments as he may determine. In the event of the officer leaving motherless children, a similar grant may be made to them under such conditions as the Minister may determine.

Suspension of pensions to officers' widows on re-marriage.

15. Any pension granted to the widow of an officer under this Our Warrant shall cease on her re-marriage; but in the event of her again becoming a widow, her pension (subject to adjustment under Article 30A) may be restored, wholly or in part, if she is otherwise qualified, and if in the opinion of the Minister her pecuniary circumstances are such as to justify the restoration. Allowances for children under Article 12 may be paid after re-marriage.

Pensions to widows of officers on retired pay.

16.—(1) The widow of an officer who was at the time of his death (not being due to his serious negligence or misconduct) in receipt of retired pay of not less than 70% a year, may, provided she was living with the officer at the time of his death, be granted a pension of not more than one-half of the deceased officer's retired pay and in no case at a higher rate than as in the fifth column of the Second Schedule hereto, this grant to be subject to such conditions as the Minister may determine and to cease on re-marriage.

(2) "Widow" in this Article means a widow—

(a) the circumstances of whose husband's death do not entitle her to a pension under Article 11 of this Our Warrant; and

(b) who, if her husband had died in the circumstances set forth in Article 11, would have been eligible for a pension under that Article.

(3) The motherless children of an officer whose widow would have been eligible for a pension under this Article may be granted pensions at the rates and subject to the conditions of Article 17 (1) and (2), the total of the pensions not to exceed one-half of the officer's retired pay.

(4) "Retired pay" in this Article means retired pay in consequence of disability attributable to or aggravated by military service during the war at the rate the officer was receiving or might have received under columns 3 to 8 of the First Schedule to Our Warrant of the 1st August 1917.

Motherless children.

17.—(1) The child of an officer who has died in the circumstances set forth in Article 11 of this Our Warrant may be awarded a pension of 60% a year where the child is or becomes motherless, or has been removed from the control of its mother. In the event of two or more children being maintained by one person in the same household, the amount will be reduced to 50% for each child after the first.

(2) The grant, continuance and administration of the pension shall be subject to the same conditions as those set forth for children's allowances in Article 12 (1), (2) and (5).

(3) A child granted a pension under subsection (1) of this Article shall be eligible for a gratuity under the conditions of Article 12 (3), and for an education allowance under the conditions laid down in Article 12 (4).

General conditions for pensions to officers' relatives.

18. The following conditions shall apply to the grant or continuance of pensions to the relatives, other than widows and children, of deceased officers under Articles 19 and 21 below :—

(1) It shall be granted only if the officer dies in the circumstances set forth in Article 11 of this Our Warrant.

(2) It shall be granted or continued only if the pecuniary and other circumstances of the relative are such as, in the opinion of the Minister, to justify the award.

(3) Subject to the provisions of subsection (2) of the following Article, it shall not exceed the pension which has been or would have been awarded to the officer's widow under Article 11 (1) or (2), as the case may be, if under 40 and childless.

(4) It shall not be transferable; except that where it is granted to one of two parents, or to two or more sisters or brothers, it may be continued wholly or in part to the survivor or survivors and that where it has been granted to a

parent it may on the death of such parent be continued, wholly or in part, to a sister who is otherwise eligible for a pension in respect of the deceased officer.

(5) It shall cease on marriage or re-marriage.

19.—(1) A pension may be granted to the parent or parents of an officer of such an amount as the Minister may decide, subject to the conditions of Article 18 and such other conditions as he may determine, regard being had to pre-war dependence, if any, and to the age or infirmity of the parent or parents. Pensions to officers' parents.

(2) A pension may be granted in respect of each son who has died in the circumstances set forth in Article 11, subject to such conditions and limits as the Minister may determine.

20. A gratuity not exceeding the value of one year's pension of a widow under 40 and childless may be granted to the parent or parents jointly of an officer, at the discretion of the Minister, in special cases where the conditions for pensions laid down in the two preceding Articles are not fulfilled. Gratuities to parents.

21.—(1) A pension may be granted to the sister or brother (or sisters or brothers) of an officer, provided they were wholly or partially dependent on him for support. The pension shall be of such an amount as the Minister may decide, subject to the conditions of Article 18 and such other conditions as he may determine, and shall not be granted or continued to a brother after the age of 18, or to a sister after the age of 21, unless he or she is unfitted by age or infirmity to earn his or her living. Pensions to officers' sisters or brothers.

(2) A pension under the same conditions may be granted in respect of each brother who has died in the circumstance set forth in Article 11, subject to the limit laid down in Article 18 (3).

22. A gratuity not exceeding one-half the value of one year's pension of a widow under 40 and childless may, at the discretion of the Minister, be granted to the sisters or brothers jointly in special cases where the conditions for pensions laid down in Articles 18 and 21 are not fulfilled. Gratuities to officers' sisters or brothers.

PART III.—NURSES DISABLED OR DECEASED.

23. A member of Our Queen Alexandra's Imperial Military Nursing Service, of Our Army Nursing Service Reserve, and of Our Territorial Force Nursing Service (hereinafter referred to as a nurse) who retires on account of medical unfitness certified as either attributable to or aggravated by military service during the war and not being due to her serious negligence or misconduct, may, subject to Article 28, be granted the pension shown in the Third Schedule to this Our Warrant which corresponds to the degree of her disablement as certified: provided that a nurse who is eligible for on in receipt of retired pay under the terms of Our said Warrant of 1st December 1914, may be granted either— Disablement pensions to nurses.

(a) such retired pay together with an addition as shown in the last column of the Third Schedule to this Our Warrant, or

(b) the pension provided by columns 3 to 5 of that Schedule for her rank and degree of disablement,

whichever is more favourable.

23A. If a nurse on or after demobilisation or on or after retirement, or transfer or reversion to the Reserve, otherwise than for misconduct or in circumstances which, in the opinion of the Minister, do not justify an award, is certified to be disabled by wounds, injuries, or disease attributable to or aggravated by military service during the war, such disablement not being due to her serious negligence or misconduct, she may be granted pension or gratuity as if she had retired on account of medical unfitness under Article 23, with effect from the date from which her claim is established. But the benefits of proviso (a) to Article 23 shall only be granted if the nurse is certified to have been permanently unfit for general service on her retirement. Disablement on or after retirement.

23B. Except in those cases where the disablement has reached its final condition a pension shall be temporary, at the rate appropriate to the temporary disablement, and the grant shall be reviewed from time to time until a permanent assessment can be made or the grant ceases. Temporary awards to disabled nurses.

23c.—(1) A nurse in receipt of pension under Article 23 of this Our Warrant whose pre-war earnings (excluding any addition thereto under paragraph (b) of Article 30 (5)) exceeded 95*l.* a year and who, within one year of the date of this Our Alternative pensions to nurses.

Warrant or one year after the notification to her of the first award of pension under Article 23, whichever is the later date, shall prove to the satisfaction of the Minister the amount of her pre-war earnings, may, at the same time or at any time thereafter, make application for alternative pension, and if she shows that her pension together with the average earnings of which she remains capable, are less than her proved pre-war earnings she may be granted alternative pension in lieu of pension under Article 23.

Alternative pension may be granted temporarily or permanently and shall be of an amount which, together with the average earnings (if any) of which the nurse is judged capable, shall not exceed her pre-war earnings up to 250% a year, provided that—

(a) in assessing the average earnings (if any) of which a nurse remains capable any decrease thereof not due to the disablement for which the nurse is in receipt of pension shall be disregarded, and the refusal or neglect to undergo any course of treatment or training which in the opinion of the Minister would materially increase the nurse's earning capacity may be taken into account; and

(b) where owing to physical incapacity or other cause over which the nurse had no control she has been unable to prove the amount of her pre-war earnings within the time above specified the Minister may, in his discretion, extend such time.

(2) Alternative pension shall be payable as from the date from which the claim thereto is established.

(3) In this Article "pension" shall include retired pay.

Permanent awards to disabled nurses.

24.—(1) When a permanent pension has been granted it shall not be altered on account of any change in the nurse's earning capacity, whether resulting from training or other cause; neither shall it be subject to review except—

(a) when a nurse whose pension is assessed under Article 23 claims that there has been a substantial increase in the extent of the disablement due to the original cause, or

(b) under the following subsection or under Article 30A or 30B.

(2) The Minister may at any time order the review of any pension in any case where—

(a) a pension has, by error in interpretation or fact, been granted to a disabled nurse in excess of the amount appropriate to the degree of her disablement;

(b) the Minister has reason to believe that a pension has been obtained by any improper means; or

(c) a pension has been granted by error.

Conditions as to undergoing treatment.

25. Half the pension awarded under Article 23 or 23c may be subject to the condition that the disabled nurse shall undergo medical treatment in an institution or otherwise, for any period during which it is certified that such treatment is necessary in her interests.

Such misconduct of the nurse as shall render it necessary, in the discretion of the Minister, to discontinue treatment, may be deemed to be refusal to undergo that treatment.

Grants to disabled nurses undergoing treatment.

26. In any case where it is certified that a nurse should undergo any course of medical treatment in an institution or otherwise for a disability which renders her eligible for pension or gratuity under Articles 23 or 28 of this Our Warrant, she may be granted, for such period and subject to such conditions as the Minister may determine—

(a) a pension at the rate for the highest degree of disablement (subject to any necessary adjustments in respect of retired pay, pension or gratuity already awarded) for the purpose of undergoing the treatment which she is certified to require and whilst deemed in consequence incapable of work, a deduction of such amount as the Minister may determine being made from such pension on account of the cost of her maintenance in the institution;

(b) if she is certified to require medical treatment which does not render her incapable of work, but requires her to absent herself from her work on one or more occasions in the week, an allowance not exceeding 15s. a week for the time she is required so to absent herself;

(c) the necessary medical and other expenses and allowances incidental to the treatment of such disability up to such amount as the Minister may determine.

27. In addition to any pension awarded under the foregoing Articles there may be granted, under such conditions as the Minister may determine, to or on behalf of a nurse disabled in the highest degree, an allowance not exceeding 52*l.* a year in any case where a constant attendant is necessary. Constant attendance allowance.

28. In any case where the degree of disablement is assessed at less than 20 per cent., or where, in exceptional circumstances it is considered by the Minister more in the interests of the nurse, a gratuity or temporary allowance may be granted in place of any pension under this Our Warrant. The grant will be subject to such conditions as the Minister may determine, and its amount will not exceed 300*l.*, and will depend on the nature of the disablement and the other circumstances of the case. Minor disablement gratuities to nurses.

29. A nurse who retires on account of medical unfitness certified to be neither attributable to nor aggravated by military service may be granted a gratuity or temporary allowance. The grant will be subject to such conditions as the Minister may determine. In exceptional circumstances it may amount to a sum not exceeding 200*l.*, and generally it will depend on the extent to which the nurse is incapacitated and on the other circumstances of the case. Where disablement not attributable to service.

29A. Pensions or gratuities may be awarded to the relatives of deceased nurses in accordance with the terms of Articles 18 to 22 of this Our Warrant so far as they may be applicable, and under such conditions as the Minister may determine. Grants to relatives of deceased nurses.

PART IV.—GENERAL PROVISIONS.

30. In this Our Warrant, unless the context otherwise requires—

(1) "Officer" means a commissioned officer whether holding a permanent or temporary or local commission in Our Regular or Reserve Forces or of the Territorial Force, who has served and been in receipt of military pay as such during some period of the war, but shall not include any officer of Our Indian Army, or any officer of Dominion, Colonial, or Protectorate Forces, whether raised for local or general service, unless the terms of his service have been made to include the pension rights of the Regular Army, or any officer holding a permanent commission in Our Regular Forces disabled or dying through service in India. Definitions.
Officer.

(2) "Widow" means the widow of an officer whose marriage took place before the receipt of the wound or injury which caused his death, or before his removal from duty on account of the contraction or aggravation of the disease which caused his death: provided that the widow of a permanent regular officer married after such date (but not later than the date of this Our Warrant) shall not forfeit pension or gratuity if he survives his marriage by at least one year or it can be shown that he was manifestly in good health at the date of his marriage. Widow.

(3) "Child" means the legitimate child of an officer born before or within nine months after demobilisation, retirement, relinquishment of his commission, or transfer to or reversion to the Reserve or to unemployment, and may include a step-child regularly maintained by him; but shall not include a child whose mother is excluded by (2) above. Child.

(4) "Parent" includes a grandparent or other person who has been in the place of a parent to an officer, and has wholly or mainly supported him for not less than one year at some time before the commencement of the war. Parent.

(5)—(a) "Pre-war earnings" means in the case of an officer who was in employment under a contract of service the average earnings during the twelve months immediately preceding the outbreak of the war. Average earnings shall be computed generally in such manner as is best calculated to give the rate at which the officer was being remunerated, and, so far as may Pre-war earnings.

be applicable, in accordance with the provisions of the Workmen's Compensation Act, 1906: provided that where, in the course of such twelve months, there was a change in the officer's rate of remuneration, and such change was not of a temporary but of a reasonably permanent nature, then the average earnings shall be calculated on the officer's earnings during the period since such change in his remuneration, or since the last of such changes if there were more than one. In the case of an officer in a trade, business, or profession, the average profits of the last three years preceding the commencement of the war shall be taken, or of such lesser period as he engaged therein.

(b) In computing the average earnings or average profits of an officer an addition of 60 per cent. may be made to any such earnings or profits.

Pre-war
dependence.

(6) "Pre-war dependence" means the amount representing the annual value of the support afforded to, or of benefits conferred upon a relative by an officer for a reasonable period immediately preceding the commencement of the war or of his military service, if later, exclusive, however, of any increase thereof due to circumstances arising out of the war, in the case of entry into service or commission subsequent to the commencement of the war and shall include the following—

(a) Amount regularly contributed by the officer if he received no material benefits in return therefor.

(b) Amount regularly contributed by the officer in excess of expenditure incurred on his account.

(c) Money value of any benefit conferred upon the relative by the officer.

Certified.

(7) "Certified" means, in respect of any medical certification, certified by a medical officer or Board of Medical Officers appointed for the purpose by the Army Council or by the Minister.

Prescribed.

(8) "Prescribed" means prescribed by Instructions issued by the Minister.

Wounds
pension.

(9) "Wounds pension" includes wounds gratuity.

Application
of Part IV.
to nurses.

(10) The provisions of this Part of this Our Warrant shall, so far as they are applicable, apply to and in respect of nurses in the same way as they apply to and in respect of officers.

Royal War-
rant of 23rd
March 1920.

(11) References in this Our Warrant to Our Warrant of the 13th September 1919 include references to Our Warrant of the 23rd March 1920, for the Appointment, &c., of officers of Our Royal Army Chaplains Department.

Re-adjust-
ment of
rates ac-
cording to
cost of
living.

30A. The rates of retired pay, pension, and allowance specified in the Fourth Schedule hereto, and any retired pay, pensions, and allowances awarded under or by virtue of the Articles therein mentioned (hereinafter referred to as the scheduled rates), shall be deemed to be based on the cost of living for the year 1919, and shall be subject as prescribed to increase or decrease in accordance with the increased or decreased cost of living as compared with the cost of living for the year 1919, such increased or decreased cost being determined by a certificate to be furnished in January of the year 1923 and of each succeeding year for this purpose by Our Minister of Labour: provided that the scheduled rates shall not be reduced below the minimum rates set forth in the second column of the Fourth Schedule hereto, and that no readjustment shall take effect before the 1st day of April 1923.

There shall be no re-adjustment in the year 1923 unless the certificate of Our Minister of Labour shows a difference between the cost of living in the year 1919 and in the year 1922 of at least 5 per cent., nor shall there be any re-adjustment in any succeeding year unless the certificate of Our Minister of Labour shows that the cost of living for the previous year differs from the cost of living in the year as to which the last re-adjustment was made (or the year 1919 if there had been no re-adjustment) by at least 5 per cent. of the cost of living in the year 1919.

Cost of
living.

"Cost of living" in this Article means the general cost of living of working-class families.

Third party
compensa-
tion may be
taken into
considera-
tion.

30B. Where an officer is injured or killed in such circumstances that any retired pay, pension, allowance, or grant is payable to or in respect of him under this Our Warrant or the Preamble thereof, and where he or his widow, child, or dependant receives compensation from or on behalf of a third party, for the act, omission, or

circumstances which caused the injury or death, any such compensation may be taken into consideration in assessing any retired pay, pension, allowance, or grant which might be awarded to or in respect of the officer, and where the compensation is received after assessment it may be taken into consideration and the assessment may be amended or cancelled accordingly.

31. The rate of retired pay or pension or gratuity granted under this Our Warrant may be determined according to the temporary, acting, or local rank held by the officer at the time he was killed, wounded, injured, or removed from duty in consequence of disablement. Temporary and acting rank.

32. Except as modified by this Our Warrant, any general conditions governing the grant, issue, and administration of retired pay to officers and of pensions to their families laid down in Our said Warrant of 1st December 1914, and in subsequent Warrants, shall remain in force and be applicable to grants made under this Our Warrant. Warrants retained in operation.

Given at Our Court at St. James's, this second day of July 1920, in the 11th year of Our Reign.

By His Majesty's Command,
IAN MACPHERSON.

FIRST SCHEDULE.

PART I.

RETIRED PAY TO DISABLED OFFICERS (*Article 1*).

Degree of Disablement.	Percentage Degree of Disablement.	Retired Pay on Account of Disablement.						Additional Retired Pay under provisos (1) and (2) to Article 1.
		Officers not holding Permanent Commissions in Regular Forces, or as otherwise provided.						
		Major-General.	Brigadier-General.	Colonel.	Lieutenant-Colonel.	Major.	Captain, Lieutenant,* or Second Lieutenant.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	Per Cent.	£	£	£	£	£	£	£
1	100	420	390	330	300	270	210	150
2	90	378	351	297	270	243	189	135
3	80	336	312	264	240	216	168	120
4	70	294	273	231	210	189	147	105
5	60	252	234	198	180	162	126	90
6	50	210	195	165	150	135	105	75
7	40	168	156	132	120	108	84	60
8	30	126	117	99	90	81	63	45
9	20	84	78	66	60	54	42	30

* Quartermasters, Assistant Paymasters, and Inspectors of Army Schools may be treated as Lieutenants.

PART II.

ANNUAL SUM WHICH MAY BE GRANTED WHERE OFFICER HAS COMPLETED LESS THAN 15 YEARS' SERVICE (*proviso (1) (a) to Article 1*).

Lieutenant-Colonel of 14 years' service or less -	-	-	-	-	-	-	-	£ 200
Major " " " or less -	-	-	-	-	-	-	-	170
Captain of " " " -	-	-	-	-	-	-	-	140
" " " " -	12	"	"	"	"	"	"	130
" " " " or less -	12	"	"	"	"	"	"	120
*Lieutenant or 2nd Lieutenant of 14 years' service -	-	-	-	-	-	-	-	140
" " " " -	"	"	13	"	"	"	"	130
" " " " -	"	"	12	"	"	"	"	120
" " " " -	"	"	11	"	"	"	"	110
" " " " -	"	"	10	"	"	"	"	100
" " " " -	"	"	9	"	"	"	"	90
" " " " -	"	"	8	"	"	"	"	80
" " " " or less -	"	"	7	"	"	"	"	70

SECOND SCHEDULE.

PENSIONS AND GRATUITIES TO OFFICERS' WIDOWS (*Article 11*).

Rank.	Highest Pension (<i>Article 11 (1)</i>).		Intermediate Pension (<i>Article 11 (2)</i>).		Gratuity <i>Article 11 (3)</i> .
	Widow with child eligible, &c., or over 40. (2)	Widow without child eligible, &c., and under 40. (3)	Widow with child eligible, &c., or over 40. (4)	Widow without child eligible, &c., and under 40. (5)	
(1)	(2)	(3)	(4)	(5)	(6)
	£	£	£	£	£
Field Marshal -	800	800	600	600	3,500
General -	600	600	450	450	3,000
Lieut.-General -	500	500	375	375	2,000
Major-General -	400	400	300	300	1,100
Brigadier-General -	320	300	260	240	900
†Colonel -	240	220	220	180	600
‡Lieut.-Colonel -	216	200	200	162	450
Major -	180	168	168	126	300
Captain -	140	120	120	90	250
*Lieutenant -	140	120	120	90	140
Second Lieutenant -	140	120	120	90	100

* Quartermasters, Assistant Paymasters, and Inspectors of Army Schools may be treated as Lieutenants.

† Colonel means a Colonel who has been employed as a substantive Colonel if a combatant officer, or in the rank of Colonel if a medical, veterinary, or departmental officer.

‡ Including a Colonel not employed as above.

THIRD SCHEDULE.

PENSIONS TO DISABLED NURSES (*Article 23*).

Degree of Disablement.	Percentage degree of Disablement.	Disablement Pension if not entitled to Service Retired Pay.			Addition to Service Retired Pay if entitled to such.
		Principal Matron or Matron in Chief.	Matron.	Staff Nurse or Sister.	
(1)	(2)	(3)	(4)	(5)	(6)
	Per cent.	£	£	£	£
1	100	210	180	150	90
2	90	189	162	135	81
3	80	168	144	120	72
4	70	147	126	105	63
5	60	126	98	90	54
6	50	105	90	75	45
7	40	84	72	60	36
8	30	63	54	45	27
9	20	42	36	30	18

FOURTH SCHEDULE.

READJUSTMENT OF RATES (*Article 30A*).

Scheduled Rates.	Minimum Rates.
Retired pay under Article 1—	
Under columns 3 to 8 of Part I. of First Schedule	The corresponding rates under the Warrant of the 1st August 1917.
Under Column 9 of Part I. of First Schedule	The rates in this Warrant less 20 per cent. thereof.
Annual sum under Part II. of First Schedule	The "retired pay" in paragraph (a) without the addition, or the retired pay in paragraph (b) or (c) duly adjusted, or the difference in paragraph (d) duly adjusted.
Under proviso (3)	
Alternative retired pay and pensions under Articles 3, 13 and 23c:	The alternative retired pay or pension calculated without the addition of the 60 per cent. under paragraph (b) of Article 30 (5).
Treatment—	
Additional retired pay or pension under paragraph (a) of Articles 6 or 26	The corresponding rates under the Warrant of the 1st August 1917.
Allowance under paragraph (b) of Articles 6 and 26	16s. and 12s. respectively.
Widows' pensions under Article 11	Where the rate of the widow's pension in the Second Schedule is equivalent to two-thirds of the total disablement retired pay as set forth in Columns 3-8 of Part I. of the First Schedule, the minimum rate of the widow's pension shall be two-thirds of the total disablement retired pay as set forth in Columns 3-8 of the First Schedule to the Warrant of 1st August 1917; in other cases the minimum rates shall be the rates in the Second Schedule less 20 per cent.; but in no case shall the minimum rate be less than the corresponding rate in the Warrant of 1st August 1917.
Children's Allowances under Article 12	30l.
Motherless children's pensions under Article 17	48l. and 40l. respectively.
Nurses' pensions under Article 23—	
Principal Matron or Matron-in-Chief	175l.
Matron	150l.
Staff Nurse or Sister	125l.
Addition to service retired pay under Column 6 of the Third Schedule	75l.
Relatives pensions and gratuities—	
References to widow's pensions under Articles 18 to 22	The minimum rate for the pension of a widow under 40 and without children.

FIFTH SCHEDULE.

PROVISIONS SUBJECT TO WHICH THIS WARRANT IS TO BE READ (*Preamble*).

A.—Date from which certain portions of the Warrant apply.

	Portions of the Warrant.	Date of Application.
Article 1A	The words "or in circumstances which do not, in the opinion of the Minister, justify the award"	April 1st, 1917.
Articles 2 (1) and 12 (4)	The words "each child above the age of 8"	September 1st, 1919.
Article 6	The whole, except paragraphs (a) and (b)	April 1st, 1919.
"	The whole, except paragraph (c)	June 3rd, 1919.
Article 19 (2)	The whole	August 29th, 1919.
Article 23A	The whole	April 1st, 1917.
Article 26	The whole, except paragraphs (a) and (b)	April 1st, 1919.
"	The whole, except paragraph (c)	January 15th, 1920.
Article 29A	The whole	September 16th, 1918.
Article 30 (5)	The words from "provided that" down to "more than one"	March 7th, 1919.

B.—Retrospective Application of Amendment of Article 13 of the Warrant of 1st August 1917.

As from 1st May 1918 Article 13 of the Warrant of 1st August 1917 shall be read as though "two thirds" was substituted for "one half."