

**EXPLANATORY MEMORANDUM TO THE
PERSONAL INJURIES (CIVILIANS) AMENDMENT (No.2) SCHEME 2005**

2005 No. 1639

1. This explanatory memorandum has been prepared by the Ministry of Defence and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 The Personal Injuries (Civilians) Amendment (No.2) Scheme 2005 amends The Personal Injuries (Civilians) Scheme 1983 (“the PI(C)S”). It provides for an increase of £2 each week to the supplementary rate paid with war widows and widowers pensions paid under PI(C)S.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 The Committee has expressed concern about when the PI(C)S will be consolidated. The PI(C) S, made under the Personal Injuries (Emergency Provisions) Act 1939, applies only to injuries arising from the Second World War. The number of beneficiaries under the Scheme is therefore now small and reducing – there are now less than 2,200 disablement pensioners under the PI(C)S. Work on consolidation has now begun with the aim of consolidating the Civilians Scheme by April 2006.

4. Legislative Background

4.1 The amendment to enable payment of an additional £2 each week to the supplementary rate of war widows and widowers pensions, paid for widows and widowers of members of the Armed Forces who left service before 31 March 1973 with effect from 6 April 2005 reflects an undertaking given by the then Under-Secretary of State (Mr Caplin) on 14 March 2005 at the Veterans Summit. Similar amendments are being made to The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Amendment Order 1983 (the ‘SPO’).

5. Extent

5.1 This instrument applies to all of the United Kingdom.

6. European Convention on Human Rights

6.1 The Convention is not applicable to this instrument.

7. Policy background

7.1 Supplementary Pensions under the PIC(C)S and War Pensions Scheme are paid to reflect the fact that these widows and widowers did not

benefit from the improvements made to the occupational Armed Forces Pension Scheme introduced in 1973.

7.2 Minister's announcement provides an additional enhancement to the supplementary rate paid to widows and widowers pensions over and above the normal annual increase for inflation as provided for under Statutory Instrument 2005 No.655.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no significant impact on business, charities or voluntary bodies.

9. Contact

Mrs S J McIntosh at the Ministry of Defence Tel: 020 7218 0564 can answer any queries regarding the instrument.