STATUTORY INSTRUMENTS

2015 No. 208

PENSIONS

The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions (Amendment) Order 2015

Made - - - -	*11th February 2015*
Laid before Parliament	*18th February 2015*
Coming into force - -	*6th April 2015*

At the Court at Buckingham Palace, the 11th day of February 2015

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty considers it expedient to amend the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006(**1**).

ACCORDINGLY, Her Majesty, in exercise of the powers conferred upon Her by sections 12(1) and 24(3) of the Social Security (Miscellaneous Provisions) Act 1977(**2**), and of all other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation and commencement

1.—(1) This Order may be cited as the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions (Amendment) Order 2015 and shall come into force on 6th April 2015.

(2) In this Order "the principal Order" means the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006.

Amendment to article 33 (relationships subsequent to the award of a pension) of the principal Order

2. Article 33 (relationships subsequent to the award of a pension) of the principal Order is amended by—

(**1**) S.I. 2006/606 as amended by S.I. 2006/1455, 2007/909, 2008/679, 2008/2683, 2009/706, 2010/240, 2011/235, 2012/359, 2013/241 and 2014/505.

(**2**) 1977 c.5, subsection 24(3) of which was amended by the Social Security (Consequential Provisions) Act 1992 c.6, section 4 and Schedule 2, paragraph 46.

(a) inserting at the end of paragraph (1) "before the 1st April 2015",

(b) substituting for paragraph (2)—

2.—"(2) Where—

(a) in accordance with paragraph (1), an award to a person ceased, and

(b) that person applies to restore the award in respect of a period which begins after the end of the relationship that led to the cessation of the award,

the claim shall be determined as though the relationship had never existed."

Amendment to the schedules to the principal Order

3. The schedules to the principal Order are amended by substituting—

(a) the table in Schedule 1 for the table in Schedule 1, Part II of the principal Order,

(b) the tables in Schedule 2 for tables 1 and 2 in Schedule 1, Part III of the principal Order,

(c) the table in Schedule 3 for the table in Schedule 1, Part IV of the principal Order,

(d) the tables in Schedule 4 for the tables in Schedule 2, Part II of the principal Order, and

(e) the table in Schedule 5 for the table in Schedule 2, Part III of the principal Order.

Richard Tilbrook
Clerk of the Privy Council

SCHEDULE 1 Article 3(a)

TABLE TO BE SUBSTITUTED FOR THE TABLE IN SCHEDULE 1, PART II OF THE PRINCIPAL ORDER

"**1.** WEEKLY RATES OF PENSIONS FOR DISABLED MEMBERS OF THE ARMED FORCES IN GROUPS 10-15 OF PART I OF THIS SCHEDULE

2. YEARLY RATES OF RETIRED PAY AND PENSIONS FOR DISABLED MEMBERS OF THE ARMED FORCES IN GROUPS 1-9 OF PART I OF THIS SCHEDULE

Degree of Disablement	***Weekly Rate***	***Yearly Rate***
Per Cent	***£***	***£***
100	178.20	9,298
90	160.38	8,369
80	142.56	7,439
70	124.74	6,509
60	106.92	5,579
50	89.10	4,649
40	71.28	3,719
30	53.46	2,790
20	35.64	1,860"

SCHEDULE 2 Article 3(b)

TABLES TO BE SUBSTITUTED FOR TABLES 1 AND 2 IN SCHEDULE 1, PART III OF THE PRINCIPAL ORDER

"**Table 1**

GRATUITIES PAYABLE FOR SPECIFIED MINOR INJURIES

Description of injury	*Assessments*	*Groups 1-15*
For the loss of:	*Per cent*	*£*
A. FINGERS		
Index finger—		
More that 2 phalanges including loss of whole finger	14	8,474
More that 1 phalanx but not more that 2 phalanges	11	6,780
1 phalanx or part thereof	9	5,649
Guillotine amputation of tip without loss of bone	5	3,381

Description of injury	*Assessments*	*Groups 1-15*
Middle finger—		
More than 2 phalanges including loss of whole finger	12	7,341
More than 1 phalanx but not more than 2 phalanges	9	5,649
1 phalanx or part thereof	7	4,517
Guillotine amputation of tip without loss of bone	4	2,822
Ring or little finger—		
More that 2 phalanges including loss of whole finger	7	4,517
More that 1 phalanx but not more that 2 phalanges	6	3,959
1 phalanx or part thereof	5	3,381
Guillotine amputation of tip without loss of bone	2	1,693
B. TOES		
Great toe—		
Through metatarso-phalangeal joint	14	8,474
Part, with some loss of bone	3	2,253
1 other toe—		
Through metatarso-phalangeal joint	3	2,253
Part, with some loss of bone	1	1,136
2 toes, excluding great toe—		
Through metatarso-phalangeal joint	5	3,381
Part, with some loss of bone	2	1,693
3 toes, excluding great toe—		
Through metatarso-phalangeal joint	6	3,959
Part, with some loss of bone	3	2,253
4 toes, excluding great toe—		
Through metatarso-phalangeal joint	9	5,649
Part, with some loss of bone	3	2,253

Table 2

GRATUITIES PAYABLE TO MEMBERS OF THE ARMED FORCES FOR DISABLEMENT ASSESSED AT LESS THAN 20 PER CENT NOT BEING A MINOR INJURY SPECIFIED IN TABLE 1

Assessment of degree of disablement			
Groups 1-15	1 to 5 per cent	6 to 14 per cent	15 to 19 per cent
	£2,834	£6,300	£11,018”

SCHEDULE 3 Article 3(c)

TABLE TO BE SUBSTITUTED FOR THE TABLE
IN SCHEDULE 1, PART IV OF PRINCIPAL ORDER

"**Table**

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

Description of Allowance	*Rate Groups 1-9*	*Groups 10-15*
1. Constant attendance allowance—		
(a) under article 8—		
(i) the part day rate of constant attendance allowance under paragraph (2)	£1,753 per annum	£33.60 per week
(ii) the full day rate of constant attendance allowance under paragraph (3)	£3,506 per annum	£67.20 per week
(iii) the intermediate rate of constant attendance allowance under paragraph (4)	£5,260 per annum	£100.80 per week
(iv) the exceptional rate of constant attendance allowance under paragraph (5)	£7,013 per annum	£134.40 per week
(b) under article 71(4)—		
(i) the rate under sub-paragraph (4)(a)	£3,506 per annum*	£67.20 per week*
(ii) the rate under sub-paragraph (4)(b)	£7,013 per annum*	£134.40 per week*
2. Exceptionally severe disablement allowance under article 9	£3,506 per annum	£67.20 per week
3. Severe disablement occupational allowance under article 10	£1,753 per annum	£33.60 per week
4. Allowance for wear and tear of clothing under article 11	£230 per annum	£230 per annum
5. Unemployability allowances—		
(a) personal allowance under article 12(1)(a)	£5,745 per annum	£110.10 per week
(b) additional allowance for dependants by way of—		
(i) increase of allowances in respect of a spouse, civil partner, adult dependant, dependant living as a spouse or dependant living as a civil partner under article 12(6)(a)	£3,193 per annum*	£61.20 per week*
(ii) increase of allowance under article 12(6)(b)—		
(aa) in respect of the only, elder or eldest child of a member	£741 per annum	£14.20 per week
(bb) in respect of each other child of a member	£874 per annum	£16.75 per week