
STATUTORY INSTRUMENTS

2005 No. 439

**The Armed Forces and Reserve Forces
(Compensation Scheme) Order 2005**

PART VIII

PAYMENT

Date on which awards of benefit become payable

54.—(1) A lump sum [^{F1}, an additional multiple injury lump sum] and a bereavement grant shall be paid in accordance with an award as soon as is reasonably practicable after the award has been made.

(2) An award of guaranteed income payment becomes payable—

- (a) where a member of the forces is discharged from the forces on medical grounds and the award is for the injury which caused him to be discharged on medical grounds, on the day after the discharge;
- (b) where a member of the forces is awarded injury benefit which includes an award of guaranteed income payment, on the day after the day on which his service ends;
- (c) in any case where subparagraph (a) or (b) does not apply, on the date of claim.

(3) Where a person who is entitled to a pension for disablement or death under The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 1983 (“the 1983 Order”) subsequently becomes entitled to benefit under this Order for the same injury or death for which there was entitlement under the 1983 Order, the date on which benefit under this Order becomes payable is the date on which—

- (a) a claim for benefit is determined under article 43;
- (b) a final award is made under article 44;
- (c) a decision of the Secretary of State is revised under article 45, 48 or 49;
- (d) a decision relating to benefit is revised by a Pensions Appeal Tribunal, an appropriate Social Security Commissioner or a court as the case may be.

(4) Where a member of the forces dies in service, an award of survivor's guaranteed income payment and an award of child's payment become payable on the day after his death.

(5) Subject to article 14(7), an award—

- (a) revised under article 45 becomes payable on the date of claim;
- (b) revised under article 48 becomes payable on the date the application for review is sent to the Secretary of State;

(6) Subject to article 14(7) where a decision of the Secretary of State is revised under article 49 so as to award benefit or increase the amount of benefit awarded, the revised award becomes payable from the beginning of a period starting 6 years before the date on which the application for review

Status: Point in time view as at 08/02/2008. This version of this provision has been superseded.
Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005, Section 54. (See end of Document for details)

is sent to the Secretary of State or, where no application for a review has been made, 6 years before the date on which the award is revised.

(7) Where an award is increased under article 15(4) [^{F2}, 15(6B) or 15A(4)], the increased guaranteed income payment becomes payable from the date on which the further claim was made.

(8) Where the amount of an award is reduced following a review under article 49, the reduced amount becomes payable on the date on which the award is revised.

(9) Notwithstanding paragraph (6), no benefit is payable for any period before the date of claim.

Textual Amendments

- F1** Words in art. 54(1) inserted (8.2.2008) after "lump sum" by virtue of [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2008 \(S.I. 2008/39\)](#), arts. 1(1), **14(1)**
- F2** Words in art. 54(7) inserted (8.2.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2008 \(S.I. 2008/39\)](#), arts. 1(1), **14(2)**

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