
STATUTORY INSTRUMENTS

2017 No. 161

PENSIONS

The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions (Amendment) Order 2017

Made - - - - *15th February 2017*
Laid before Parliament *22nd February 2017*
Coming into force - - *10th April 2017*

At the Court at Buckingham Palace, the 15th day of February 2017

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. This Order may be cited as the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions (Amendment) Order 2017 and comes into force on 10th April 2017.

Amendment of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006

2. The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 ("the principal Order") is amended as follows.

(1) S.I. 2006/606; relevant amending instruments are S.I. 2006/1455, 2007/909, 2008/679, 2009/706, 2010/240, 2011/235, 2012/359, 2013/241, 2013/630, 2014/505, 2015/208 and 2016/374.
(2) 1977 c. 5; section 24(3) was amended by section 4 of, and paragraph 46 of Schedule 2 to, the Social Security (Consequential Provisions) Act 1992 (c. 6).

Amendment of Schedule 1 (disablement due to service in the armed forces)

3. In Schedule 1 to the principal Order—
- (a) for the table in Part 2 substitute the table in Schedule 1 to this Order;
 - (b) for tables 1 and 2 in Part 3 substitute tables 1 and 2 in Schedule 2 to this Order; and
 - (c) for the table in Part 4 substitute the table in Schedule 3 to this Order.

Amendment of Schedule 2 (death due to service in the armed forces)

4. In Schedule 2 to the principal Order—
- (a) for tables 1, 2, 3, 4, 5, 6 and 7 in Part 2 substitute tables 1, 2, 3, 4, 5, 6 and 7 in Schedule 4 to this Order; and
 - (b) for the table in Part 3 substitute the table in Schedule 5 to this Order.

Richard Tilbrook
Clerk of the Privy Council

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Article 3(a)

TABLE TO BE SUBSTITUTED FOR THE TABLE IN PART 2 OF SCHEDULE 1 TO THE PRINCIPAL ORDER

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

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

<i>Degree of Disablement</i>	<i>Weekly Rate</i>	<i>Yearly Rate</i>
<i>Per Cent</i>	<i>£</i>	<i>£</i>
100	180	9,392
90	162	8,453
80	144	7,514
70	126	6,575
60	108	5,635
50	90	4,696
40	72	3,757
30	54	2,818
20	36	1,878”

SCHEDULE 2

Article 3(b)

TABLES TO BE SUBSTITUTED FOR TABLES 1 AND 2 IN PART 3 OF SCHEDULE 1 TO THE PRINCIPAL ORDER

“Table 1

GRATUITIES PAYABLE FOR SPECIFIED MINOR INJURIES

<i>Description of Injury</i>	<i>Assessments</i>	<i>Groups</i>
		<i>1 – 15</i>
<i>For the loss of</i>	<i>Per cent</i>	<i>£</i>
A. FINGERS		
Index finger—		
More than 2 phalanges including the loss of whole finger	14	8,559
More than 1 phalanx but not more than 2 phalanges	11	6,848
1 phalanx or part thereof	9	5,705

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<i>Description of Injury</i>	<i>Assessments</i>	<i>Groups</i>
		<i>1 – 15</i>
<i>For the loss of</i>	<i>Per cent</i>	<i>£</i>
Guillotine amputation of tip without loss of bone	5	3,415
Middle finger—		
More than 2 phalanges including the loss of whole finger	12	7,414
More than 1 phalanx but not more than 2 phalanges	9	5,705
1 phalanx or part thereof	7	4,562
Guillotine amputation of tip without loss of bone	4	2,850
Ring or little finger—		
More than 2 phalanges including the loss of whole finger	7	4,562
More than 1 phalanx but not more than 2 phalanges	6	3,999
1 phalanx or part thereof	5	3,415
Guillotine amputation of tip without loss of bone	2	1,710
B. TOES		
Great toe—		
Through metatarso-phalangeal joint	14	8,559
Part, with some loss of bone	3	2,276
1 other toe—		
Through metatarso-phalangeal joint	3	2,276
Part, with some loss of bone	1	1,147
2 toes, excluding great toe—		
Through metatarso-phalangeal joint	5	3,415
Part, with some loss of bone	2	1,710
3 toes, excluding great toe—		
Through metatarso-phalangeal joint	6	3,999
Part, with some loss of bone	3	2,276
4 toes, excluding great toe—		
Through metatarso-phalangeal joint	9	5,705
Part, with some loss of bone	3	2,276

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 – 5 per cent	6 to 14 per cent	15 to 19 per cent
	£2,862	£6,363	£11,128*

SCHEDULE 3

Article 3(c)

TABLE TO BE SUBSTITUTED FOR THE TABLE IN
PART 4 OF SCHEDULE 1 TO THE PRINCIPAL ORDER

“Table

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

<i>Description of Allowance</i>	<i>Rate</i>	<i>Groups 10 - 15</i>
		<i>Groups 1 - 9</i>
1. Constant attendance allowance—		
(a) under article 8—		
(i) the part day rate of constant attendance allowance under paragraph (2)	£1,772 per annum	£33.95 per week
(ii) the full day rate of constant attendance allowance under paragraph (3)	£3,543 per annum	£67.90 per week
(iii) the intermediate rate of constant attendance allowance under paragraph (4)	£5,315 per annum	£101.85 per week
(iv) the exceptional rate of constant attendance allowance under paragraph (5)	£7,086 per annum	£135.80 per week
(b) under article 71(4)—		
(i) the rate under paragraph (4)(a)	£3,543 per annum*	£67.90 per week*
(ii) the rate under paragraph (4)(b)	£7,086 per annum*	£135.80 per week*
2. Exceptionally severe disablement allowance under article 9	£3,543 per annum	£67.90 per week
3. Severe disablement occupational allowance under article 10	£1,772 per annum	£33.95 per week
4. Allowance for wear and tear of clothing under article 11	£232 per annum	£232 per annum

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<i>Description of Allowance</i>	<i>Rate</i>	<i>Groups 10 - 15</i>
	<i>Groups 1 - 9</i>	
5. Unemployability allowances—		
(a) Personal allowance under article 12(1)(a)	£5,802 per annum	£111.20 per week
(b) Additional allowances for dependants by way of—		
(i) increase of allowance 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)	£3,225 per annum	£61.80 per week*
(a)		
(ii) increase of allowance under article 12(6)		
(b)—		
(aa) in respect of the only, elder or eldest child of a member	£749 per annum	£14.35 per week
(bb) in respect of each other child of a member	£882 per annum	£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	£882 per annum	£16.90 per week
For decisions made on or after 9th April 2001		
(c) the annual earnings figure for the purposes of article 12(4) is £6,240		
(d) the weekly income figure for the purposes of article 12(6)(a)(i) is £73.10		
6. Invalidity allowance under article 13—		
(a) If—		
(i) the relevant date fell before 5th July 1948;		
(ii) on the relevant date the member was under the age of 35; or		
(iii) on the relevant date the member was under the age of 40 and had not attained the age of 65, in the case of the member being a man, or 60, in the case of the member being a woman, before 6th April 1979 and the period in respect of which payment of the allowance is to relate begins on or after 6th April 1979	£1,148 per annum	£22.00 per week

(3) 1992 c. 4

<i>Description of Allowance</i>	<i>Rate</i>	<i>Groups 10 - 15</i>
	<i>Groups 1 - 9</i>	
(b) if head (a) does not apply and—		
(i) on the relevant date the member was under the age of 45; or		
(ii) on the relevant date the member was under the age of 50 and had not attained the age of 65, in the case of the member being a man, or 60, in the case of the member being a woman, before 6th April 1979 and the period in respect of which payment of the allowance is to relate begins on or after 6th April 1979	£746 per annum	£14.30 per week
(c) if heads (a) and (b) do not apply and on the relevant date the member was a man under the age of 60 or a woman under the age of 55	£373 per annum	£7.15 per week
7. Comforts allowance—		
(a) under article 14(1)(a)	£1,524 per annum	£29.20 per week
(b) under article 14(1)(b)	£762 per annum	£14.60 per week
8. Allowance for lowered standard of occupation under article 15	£3,542 per annum*	£67.88 per week*
9. Age allowance under article 16 where the degree of pensioned disablement is—		
(a) 40 to 50 per cent	£629 per annum	£12.05 per week
(b) over 50 per cent, but not exceeding 70 per cent	£968 per annum	£18.55 per week
(c) over 70 per cent, but not exceeding 90 per cent	£1,375 per annum	£26.35 per week
(d) over 90 per cent	£1,936 per annum	£37.10 per week
10. Part-time treatment allowance under article 19	£82.55 per day*	£82.55 per day*
11. Mobility supplement under article 20	£3,381 per annum	£64.80 per week
* maximum”		

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SCHEDULE 4

Article 4(a)

TABLES TO BE SUBSTITUTED FOR TABLES 1, 2, 3, 4, 5, 6 AND 7 IN PART 2 OF SCHEDULE 2 TO THE PRINCIPAL ORDER

“Table 1

YEARLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES BEFORE 14 AUGUST 1914 OR AFTER 30 SEPTEMBER 1921

PENSIONS OTHER THAN PENSIONS AWARDED UNDER ARTICLE 11(1) OR (2) OF THE 1921 (OFFICERS) ORDER(4) OR ARTICLE 11(1) OF THE 1921 (WARRANT OFFICERS) ORDER(5), OF THE 1920 WARRANT(6) OR OF THE 1921 ORDER(7)

<i>Group</i>	<i>Yearly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
1	8,222
2	7,930
3	7,742
4	7,574
5	7,504
6	7,352
7	7,313
8	7,259
9	7,232
10	7,201
11	7,159

Table 2

WEEKLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF RATINGS, SOLDIERS OR AIRMEN

<i>Group</i>	<i>Weekly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
12)	

(4) Order in Council of 9th March 1921.
 (5) Order in Council of 9th March 1921.
 (6) Royal Warrant of 2nd July 1920.
 (7) Order of His Majesty of 25th September 1921.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Group</i>	<i>Weekly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
13)	
14)	136.50
15)	
16)	
17)	

Table 3

YEARLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES BEFORE 14 AUGUST 1914 OR AFTER 30 SEPTEMBER 1921

PENSIONS AWARDED UNDER ARTICLE 11(1) OR (2) OF THE 1921 (OFFICERS) ORDER OR ARTICLE 11(1) OF THE 1921 (WARRANT OFFICERS) ORDER, OF THE 1920 WARRANT OR OF THE 1921 ORDER

<i>Group</i>	<i>Yearly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
1	8,406
2	8,036
3	7,852
4	7,665
5	7,521
6	7,370
7	7,328
8	7,259
9	7,232
10	7,201
11	7,159

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Table 4

YEARLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES BEFORE 14 AUGUST 1914 OR AFTER 30 SEPTEMBER 1921

<i>Group</i>	<i>Yearly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
1	8,222
2	7,930
3	7,742
4	7,574
5	7,504
6	7,352
7	7,313
8	2,521
9	2,248
10	1,978
11	1,749

Table 5

WEEKLY RATES OF PENSION FOR CHILDLESS SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS AGED UNDER 40 BEING SURVIVING SPOUSES OR SURVIVING CIVIL PARTNERS OF RATINGS, SOLDIERS OR AIRMEN

<i>Group</i>	<i>Weekly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
12)	
13)	
14)	32.69
15)	
16)	
17)	

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Table 6

YEARLY RATE OF SUPPLEMENTARY PENSION FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES AND WHOSE SERVICE TERMINATED ON OR BEFORE 31 MARCH 1973

<i>Group</i>	<i>Yearly Rate</i>
(1)	(2)
	£
(1-11)	4,764.56

Table 7

WEEKLY RATE OF SUPPLEMENTARY PENSION FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF RATINGS, SOLDIERS AND AIRMEN WHO WERE MEMBERS OF THE ARMED FORCES AND WHOSE SERVICE TERMINATED ON OR BEFORE 31 MARCH 1973

<i>Group</i>	<i>Weekly Rate</i>
(1)	(2)
	£
(12 – 17)	91.31”

SCHEDULE 5

Article 4(b)

TABLE TO BE SUBSTITUTED FOR THE TABLE IN PART 3 OF SCHEDULE 2 TO THE PRINCIPAL ORDER

“Table

RATES OF PENSIONS, OTHER THAN SURVIVING SPOUSES’ AND SURVIVING CIVIL PARTNERS’ PENSIONS AND ALLOWANCES PAYABLE IN RESPECT OF DEATH

Description of Pension or Allowance	<i>Rates</i>	<i>Groups 12 – 17</i>
	<i>Groups 1 - 11</i>	
1. Pension under article 24 to dependant who lived as a spouse or dependant who lived as a civil partner	£7,000 per annum*	£134.15 per week*
2. Rent allowance under article 25	£2,682 per annum*	£51.40 per week*
3. Elderly persons allowance under article 26—		
(a) if aged 65 or over but under 70	£811 per annum	£15.55 per week

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Description of Pension or Allowance	Rates	Groups 12 – 17
	Groups 1 - 11	
(b) if aged 70 or over but under 80	£1,560 per annum	£29.90 per week
(c) if aged 80 or over	£2,314 per annum	£44.35 per week
4. Allowances in respect of children—		
(a) under article 28(2)(a)—		
(i) in respect of the only, elder or eldest child of a member	£1,117 per annum	£21.40 per week
(ii) in respect of each other child of a member	£1,252 per annum	£24.00 per week
(iii) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992, or any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£1,252 per annum	£24.00 per week
(b) under article 28(2)(b)—		
(i) in respect of the only, elder or eldest child of a member	£1,278 per annum	£24.50 per week
(ii) in respect of each other child of a member	£1,398 per annum	£26.80 per week
(iii) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992, or any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£1,398 per annum	£26.80 per week
5. Pension under article 29 to a child of a member who has no parent living and has not attained the child's age limit—		
(a) in respect of the only, elder or eldest child of a member	£1,278 per annum	£24.50 per week
(b) in respect of each other child of a member	£1,398 per annum	£26.80 per week
(c) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992, or any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£1,398 per annum	£26.80 per week
6. Allowance under article 30(2)(b) to or in respect of a child who has attained the child's age limit	£5,474 per annum*	£104.90 per week*

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Description of Pension or Allowance	Rates	Groups 12 – 17
	<i>Groups 1 - 11</i>	
* maximum”		

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (“the principal Order”), which makes provision for pensions and other awards in respect of disablement or death due to service before 6th April 2005 in the naval, military and air forces. The principal Order contains the scheme which provides the pensions and other awards.

The tables in Schedules 1 to 5 to this Order replace tables in Schedules 1 and 2 to the principal Order, in order to adjust the rates prescribed for retired pay, pensions, gratuities and allowances in respect of disablement or death due to service in the armed forces.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.