
STATUTORY INSTRUMENTS

2005 No. 439

The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011)

M1

Marginal Citations

M1 Order revoked (9.5.2011) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) Order 2011 \(S.I. 2011/517\)](#), arts. 1, 94(1)(4), [Sch. 7](#)

PART I

GENERAL

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Interpretation

2.—(1) In this Order —

“the AFPS 1975” means the occupational pension scheme arrangements, other than the AFPS 2005, that are open to members of the forces and set out in —

- (a) Orders in Council made under section 3 of the Naval and Marine Pay and Pensions Act 1865 ,
- (b) the Army Pensions Warrant 1977 and
- (c) Orders and regulations made under section 2 of the Air Force (Constitution) Act 1917 or any instrument amending or replacing any of those instruments;

“the AFPS 2005” means the Scheme established in the Armed Forces Pension Scheme Order 2005 ;

“accredited medical specialist” means a medical practitioner whose name is included in the specialist register kept and published by the General Medical Council as required by the European Specialist Medical Qualifications Order 1995;

“additional lump sum” means the sum referred to in article 15C;

“additional multiple injury lump sum” means the sum referred to in article 15B(2);

“appropriate tribunal” means the appropriate tribunal as defined in section 12(1) of the Pensions Appeal Tribunals Act 1943;

“benefit” means a benefit payable under this Order;

“bereavement grant” means the grant referred to in article 21(1)(b);

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

- “child's payment” means the payment referred to in article 21(1)(c);
- “claimant” means a person who has claimed benefit, a person to whom benefit has been paid and a person affected by any decision of the Secretary of State made under this Order;
- “claim form” means the form referred to in article 36(b);
- “death benefit” means a benefit referred in article 21;
- “downgraded” means downgraded for medical reasons as a result of which the person downgraded undertakes a reduced range of duties but retains his rank and pay;
- “eligible child” has the meaning given in article 23;
- “forces” means the armed forces and the reserve forces;
- “the FTRSPS 2010” means the occupational pension scheme for members of the Full-Time Reserve Service established by regulations made by the Defence Council in exercise of the powers conferred on them by sections 4(2) and (3) and 8(2) and (3) of the Reserve Forces Act 1996 ;
- “Gurkha” means a member of the Brigade of Gurkhas . . . ;
- “Gurkha Pension Scheme” means the Gurkha Pension Scheme constituted by the Royal Warrant of 19th December 1949 (see Army Order 151 of 1949);
- “guaranteed income payment” is the payment referred to in article 14(1)(b);
- “ill-health pension” means a pension paid under rule D5 or D6 of the AFPS 2005 or the equivalent provisions of the NRPSPS or the RFPS 2005;;
- “illness” means a physical or mental disorder included either in the International Statistical Classification of Diseases and Related Health Problems or in the Diagnostic and Statistical Manual of Mental Disorders;
- “injury” includes illness;
- “injury benefit” means the benefits referred to in article 14(1);
- “interim award” means an award under article 44(1) and (2);
- “invaliding pension” means a pension paid under the AFPS 1975 under the following:
- (d) the Army Pensions Warrant 1977, Part 2, Section 2, article 45 or Part 3, Section 7, article 149;
 - (e) the Queen's Regulations for the Royal Air Force , Chapter 38, Section 2, regulation 2938(2) or Chapter 39, Section 1, regulation 3023(2);
 - (f) the Order in Council made under the Naval and Marine Pay and Pensions Act 1865, Schedule II, Section 1, Clause 9 or Schedule III Clause 19.
- or any later provisions corresponding to the provisions referred to in sub-paragraphs (d), (e) or (f), or the equivalent provisions of the FTRSPS 2010;
- “lump sum” means, except in the expressions “additional multiple injury lump sum” and “additional lump sum”, the sum referred to in article 14(1)(a);
- “the NRPSPS” means the occupational pension scheme for members of the Non- Regular Permanent Staff set out in Chapter 9 of the Territorial Army Regulations 1978 made by the Defence Council in exercise of the powers conferred on them by sections 4(2) and (3) and 8(2) and (3) of the Reserve Forces Act 1996;
- “predominant” means more than 50 per cent;
- “the RFPS 2005” means the occupational pension scheme for members of the reserve forces established by regulations made by the Defence Council in exercise of the powers conferred on them by sections 4(2) and (3) and 8(2) and (3) of the Reserve Forces Act 1996;

- “service” means service as a member of the forces, except as provided in article 10;
- “substantial and exclusive relationship” shall be construed in accordance with Schedule 1;
- “surviving adult dependant” has the meaning given in article 22;
- “survivor’s guaranteed income payment” is the payment referred to in article 21(1)(a);
- “tariff” means the tables of injuries and amounts set out in Schedule 4;
- “temporary award” means an award referred to in article 20;
- “Veterans Agency” means an office designated by the Secretary of State for the purpose of receiving and determining applications for benefit.

- (2) In this Order, any reference to claiming a benefit or to a claim
 - (a) shall be treated as including a case where, by virtue of article 37, it is not a condition of entitlement to benefit that a claim be made;
 - (b) in the case of a claim for injury benefit, means a claim for one injury even where claims for more than one injury are made on the same claim form.
- (3) In this Order, a person is “discharged on medical grounds” if he is required to be discharged on the grounds that he is medically unfit to continue in service, and—
 - (a) . . . is as a result entitled to an invaliding pension or ill health pension, or
 - (b) in the case of a Gurkha who is a member of the Gurkha Pension Scheme, is as a result entitled to a disability pension

Definition of “late onset illness”

- 3. A “late onset illness” is—
 - (a) a malignancy, or a disorder of the liver, kidneys or central nervous system, in each case which is capable of being caused by an occupational exposure occurring more than 7 years before the onset of the illness or the date of death as the case may be;
 - (b) a mental disorder which is capable of being caused by an incident occurring more than 7 years before the onset of the illness; or
 - (c) a mental disorder capable of being caused by an incident occurring less than 7 years before the date of onset of the illness, which disorder is capable of causing the person suffering from it to be unable to seek medical help for the disorder within 7 years of the date of onset of the illness.

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PART II

THE COMPENSATION SCHEME

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Death caused by service

- 9.—(1) Benefit is payable in accordance with this Order in respect of a member or former member of the forces by reason of his death where—
 - (a) the death was caused (wholly or partly) by service;

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- (b) the cause of the death occurred on or after 6th April 2005; and
 - (c) one of the conditions specified in paragraph (3) is satisfied.
- (2) Where the death is not wholly caused by service, benefit is only payable if service is predominant cause of the death.
- (3) The conditions referred to in paragraph (1) are that the death—
- (a) occurred in service;
 - (b) occurred within the period of 7 years beginning with the day on which service ends and was caused by:
 - (i) an injury which was caused by service, or
 - (ii) the worsening by service of an injury which existed before or arose during service and which was not caused by service; or
 - (c) occurred more than 7 years after the day on which service ends and—
 - (i) the death is caused by a late onset illness which was caused by service, or
 - (ii) the predominant cause of the death is an injury for which an award of injury benefit has been made where the lump sum fell within levels 1 to 9 of the tariff.

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PART IV

BENEFITS PAYABLE FOR DEATH

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Amount of bereavement grant

27.—(1) Subject to paragraph (2), the amount of the bereavement grant payable in respect of the death of a person who was a member of the armed forces on the date of death is £25,000.

(2) Where the person was a member of the AFPS 2005, the amount of the bereavement grant is the difference between the salary of the member of the armed forces on the date of death and the amount specified in paragraph (1).

(3) Where a former member of the forces dies, the bereavement grant is £37,500.

(4) In the event that there is more than one surviving spouse entitled to the bereavement grant, the amount to which each such surviving spouse is entitled shall be the amount payable at paragraphs (2) or (3), divided by the number of surviving spouses so entitled at the time of the death of the member or former member of the armed forces.

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PART V

REDUCTION OF BENEFIT

Reduction of guaranteed income payment, survivor's guaranteed income payment and child's payment to take account of other amounts.

31.—(1) Where a person is entitled to guaranteed income payment, survivor's guaranteed income payment or child's payment for any period during which the person is also entitled to—

- (a) a pension under the AFPS 1975 or the AFPS 2005 (“a pension”); or
- (b) a payment under the Armed Forces Early Departure Payments Scheme Order 2005 (“a payment”)

the guaranteed income payment, the survivor's income payment or the child's payment as the case may be is reduced in accordance with paragraphs (2) and (3).

(2) Where a person is entitled to guaranteed income payment for any period during which he is also entitled—

- (a) to a payment, or to a pension which is not an invaliding pension or ill-health pension paid for the same injury for which the guaranteed income payment is paid, then the amount of the guaranteed income payment is reduced by 75 per cent. of the amount of that pension or payment;
- (b) to an invaliding pension or ill-health pension which is paid for the same injury for which the guaranteed income payment is paid then the amount of guaranteed income payment is reduced by the full amount of the invaliding pension or ill-health pension.

(3) Where a person is entitled to survivor's guaranteed income payment or child's payment for any period during which he is also entitled to a pension then the amount of the survivor's guaranteed income payment or child's payment is reduced by 75 per cent. of the amount of that pension.

(3A) Where the amount of a pension or a payment increases or decreases, including coming into payment or ceasing, after an award of benefit is made, the Secretary of State shall make such adjustments to the amount of guaranteed income payment, survivor's guaranteed income payment or child's payment as are required to satisfy the rules for reduction of benefit specified in this article.

(4) In this article any reference to a pension, invaliding pension, ill-health pension or a payment means the gross amount, irrespective of any commutation, of that pension, invaliding pension, ill-health pension or payment.

Reduction in benefit to take account of awards of damages

32.—(1) Subject to paragraph (1A), Where the Secretary of State is satisfied that—

- (a) damages have been or will be recovered by any person in respect of an injury or condition for which benefit is payable; or
- (b) damages have been or will be recovered by any person in respect of the death of a person for which benefit is payable

he shall take those damages into account against any benefit which might otherwise be payable under this Order and shall withhold or reduce any such benefit accordingly.

(1A) The Secretary of State shall not—

- (a) take the damages into account where he is satisfied that benefit payable under this Order has been taken into account in the assessment of the damages;
- (b) withhold or reduce a bereavement grant payable under article 21(1)(b).

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(1B) In calculating the amount of benefit to withhold or reduce under paragraph (1), the Secretary of State may take account of the full value of any damages which have been or will be recovered.

(1C) The Secretary of State may require a person who has made a claim to provide—

- (a) details of any steps taken or planned to obtain damages in respect of the same injury, condition or death for which benefit is payable;
- (b) a written undertaking that if the person recovers damages the person shall notify the Secretary of State and repay any benefit paid under this Order.

(2) For the purposes of this article, damages include any payment received as a result of a claim made—

- (a) in respect of an injury or condition for which benefit is payable; or
- (b) in respect of the death of a person for which benefit is payable

whether or not the payment is made in pursuance of a judgement or order of a court of any jurisdiction or by way of settlement or compromise of the claim and whether or not proceedings are instituted to enforce the claim.

(3) Where compensation is paid—

- (a) under the Criminal Injuries Compensation Scheme established under the Criminal Injuries Compensation Act 1995 ;
- (b) under the Criminal Injuries (Compensation)(Northern Ireland) Order 1988 ; or
- (c) under the scheme established by the Ministry of Defence for the purposes of paying compensation to members of the forces who suffer injury as a result of a crime committed outside the United Kingdom

the person to whom or for whose benefit the compensation is paid shall be treated as recovering damages and the compensation paid shall be treated as the damages recovered.

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PART VI CLAIMS

Entitlement to benefit dependant on claim

35.—(1) Except as provided in article 37, no person is entitled to any benefit unless, in addition to any other conditions relating to that benefit being satisfied, he makes a claim for it in the manner, and within the time, specified in the following provisions of this Part.

(2) Where a person who is in service on or after 6th April 2005 or a surviving spouse, surviving civil partner or surviving adult dependant of such a person makes a claim for a pension for disablement or death under The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 1983 , the Secretary of State may treat that claim as also being a claim for benefit under this Order.

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Time for making a claim – general

39.—(1) Subject to articles 40 and 41, the time specified for making a claim for injury benefit is 7 years beginning with the day on which—

- (a) the injury occurs;
- (b) an injury which is not caused by service is made worse by service;
- (c) where the member or former member of the forces is suffering from an illness, he first seeks medical advice in relation to that illness; or
- (d) the service of the member of the forces ends

whichever is the earlier.

(2) Where an illness first presents within the period specified in paragraph (1) but diagnosis of the illness is not made until less than one year before the end of that period, the time for making a claim is extended by 3 years starting from the date on which diagnosis was made.

(3) The time specified for making a claim for death benefit where—

- (a) the death occurs after the day on which the service of the former member of the forces ends; and
- (b) within a period of 7 years starting with the day on which that service ends;

is 3 years beginning with the day on which death occurred..

Time for making a claim – exceptional circumstances

40.—(1) Article 39 does not apply where—

- (a) a claim is made by a former member of the forces for a late onset illness and the illness has been diagnosed by an accredited medical specialist;
- (b) the death of a former member of the forces—
 - (i) is caused by a late onset illness
 - (ii) occurs in circumstances specified in article 9(3)(c)(ii).

(2) Where paragraph (1) applies, the time specified for making a claim is 3 years beginning with the day the late onset illness was first diagnosed or the day on which the death occurred as the case may be.

Time for making a claim – physical or mental incapacity

41.—(1) Where a person is physically or mentally incapable of making a claim or instructing another person to make it on his behalf throughout the time specified for making a claim in article 39 or 40, that time shall be extended by the Secretary of State for such further period as in all circumstances of the case he considers reasonable.

(2) Where a person—

- (a) has been physically or mentally incapable of making a claim or instructing another to make it on his behalf; but
- (b) becomes so capable within the period referred to in article 39 or 40

the Secretary of State may extend the time for making a claim for a period of up to 3 years if he considers there is insufficient time for the person to make a claim or instruct a person to make it on his behalf within the period referred to in article 39 or 40.

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PART VII

ADJUDICATION

Decisions

43.—(1) The Secretary of State shall determine any claim for benefit and any question arising out of the claim.

(2) The Secretary of State shall give reasons for his decision.

(3) The decision of the Secretary of State on any claim or any question arising out of a claim and the reasons for the decision shall be in writing and shall be sent to the claimant who shall, at the same time, be informed o ^[F85]of any right that he may have]—

(a) to a reconsideration of the decision under article 45; and

(b) to appeal ^[F86]that decision] to ^[F87]the appropriate tribunal] under section 5A(1) of the Pensions Appeal Tribunals Act 1943.

Textual Amendments

F85 Words in art. 43(3) substituted (30.6.2006) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2006 \(S.I. 2006/1438\)](#), arts. 1(2), **13(1)**

F86 Words in art. 43(3)(b) inserted (30.6.2006) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2006 \(S.I. 2006/1438\)](#), arts. 1(2), **13(2)**

F87 Words in art. 43(3)(b) substituted (3.11.2008) by [The Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), arts. 1, 6(1), **Sch. 1 para. 280**

Interim awards

44.—(1) Where the Secretary of State is satisfied that a person is entitled to injury benefit ^[F88]or to an additional multiple injury lump sum] but it appears to him that the prognosis for the injury in that particular case is uncertain in that he is unable finally to decide which level of the tariff is applicable to it, he may make an interim award relating to the specific level of the tariff of such amount as he considers appropriate in all the circumstances of the case.

(2) The Secretary of State shall specify in the interim award the period during which the award has effect and may extend, and further extend, the period during which the interim award has effect but he shall make a final award within the period of two years starting with the date on which an interim award was first made.

(3) The final award shall have effect from the date on which an interim award first had effect.

^[F89](4) Where the final award is at a level of the tariff which is—

(a) at the same level or is higher than the level of the tariff awarded in the interim award, account shall be taken of the amount of benefit paid in accordance with the interim award and only the difference between the amount of benefit paid in accordance with the interim award and the amount of the final award shall be paid;

(b) lower than the level of the tariff awarded in the interim award, no further amount of benefit will be paid in accordance with the final award and no amount of benefit paid in accordance with the interim award is recoverable.

^[F90](5) For the purposes of paragraph (4), the amount of benefit paid in accordance with the interim award means the amount of the lump sum awarded in the interim award together with any

award of additional multiple injury lump sum or any award of additional lump sum applicable to that interim award.]]

Textual Amendments

- F88** Words in art. 44(1) inserted (8.2.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2008 \(S.I. 2008/39\)](#), arts. 1(1), **11**
- F89** Art. 44(4) substituted (15.12.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment No. 3\) Order 2008 \(S.I. 2008/2942\)](#), arts. 1(1), **13(a)**
- F90** Art. 44(5) inserted (15.12.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment No. 3\) Order 2008 \(S.I. 2008/2942\)](#), arts. 1(1), **13(b)**

Reconsideration

45.—(1) A decision of the Secretary of State (“the original decision”), other than [^{F91}a decision, under article 44(1), to make an interim award or a decision, under article 20(1), to make a temporary award,], shall be reconsidered by him if an application for a reconsideration is given or sent to the Veterans Agency within the period of 3 months starting with the date on which notice of the original decision is given or sent to the claimant.

(2) On a reconsideration of an original decision, the Secretary of State may—

- (a) revise that decision by—
- (i) awarding benefit where no award of benefit was made in the original decision; or
 - (ii) increasing or decreasing the amount awarded in the original decision; or
 - (iii) changing the date on which awards of benefit become payable
- (b) confirm the original decision.

(3) An application for a reconsideration shall—

- (a) be in writing;
- (b) be signed by or on behalf of the person making the application; and
- (c) specify the ground on which the application is made.

(4) The decision of the Secretary of State on an application for a reconsideration under paragraph (1) and the reasons for that decision shall be in writing and shall be sent to the claimant who shall, at the same time, be informed of his right to appeal to [^{F92}the appropriate tribunal] under section 5A(1) of the Pensions Appeal Tribunals Act 1943.

(5) Where an appeal has been made to [^{F93}an appropriate tribunal] against an original decision and no application for a reconsideration has been made in respect of that decision under paragraph (1), the Secretary of State shall reconsider the decision.

(6) The decision of the Secretary of State on a reconsideration under paragraph (5) and the reasons for the decision shall be in writing and shall be sent to the claimant and the [^{F94}appropriate tribunal].

(7) Article 41 shall have effect in respect of an application for a reconsideration under this article as though a reference to making a claim was a reference to making an application for a reconsideration and reference to the time for making a claim was a reference to the time for making an application for a reconsideration.

[^{F95}(8) Where the Secretary of State increases the amount of benefit awarded in the original decision only the difference between the amount of the original award and the amount of the revised award shall be paid.

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(9) For the purposes of paragraph (8), the original award means the amount of the lump sum awarded in the original decision together with any award of additional multiple injury lump sum or any award of additional lump sum applicable to that original decision.]

Textual Amendments

- F91** Words in art. 45(1) substituted (30.6.2006) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2006 \(S.I. 2006/1438\)](#), arts. 1(2), **14**
- F92** Words in art. 45(4) substituted (3.11.2008) by [The Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), arts. 1, 6(1), **Sch. 1 para. 281(a)**
- F93** Words in art. 45(5) substituted (3.11.2008) by [The Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), arts. 1, 6(1), **Sch. 1 para. 281(b)**
- F94** Words in art. 45(6) substituted (3.11.2008) by [The Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), arts. 1, 6(1), **Sch. 1 para. 281(c)**
- F95** Art. 45(8)(9) inserted (15.12.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment No. 3\) Order 2008 \(S.I. 2008/2942\)](#), arts. 1(1), **14**

Finality of decisions

46.—(1) Where the Secretary of State has made a final decision awarding benefit, there shall be no review by him of that decision except in the circumstances specified in articles 47, 48 [^{F96}, 48A] and 49.

(2) Where the Secretary of State has made a final decision which makes no award of benefit, there shall be no review of that decision except in the circumstances specified in article 49.

(3) In this article and article 48, a final decision is a decision—

- (a) under article 43 where either—
- (i) there has been no application for a reconsideration under article 45; or
 - (ii) there has been such an application and the Secretary of State has confirmed the original decision;
- (b) revised by the Secretary of State following a reconsideration under article 45;
- (c) revised by the Secretary of State under article 47, 48 [^{F97}, 48A] or 49;
- (d) making a final award under article 44.

Textual Amendments

- F96** Words in art. 46(1) inserted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **8(a)** (with art. 12)
- F97** Words in art. 46(3)(c) inserted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **8(b)** (with art. 12)

Review on discharge on medical grounds

47.—(1) This article applies where a member of the forces has been awarded injury benefit [^{F98} or an additional multiple injury lump sum] and is later discharged on medical grounds for the same injury for which [^{F99} the injury benefit or additional multiple injury lump sum] was awarded.

(2) Where paragraph (1) applies, the Secretary of State may revise the award of benefit where the injury in respect of which it was awarded has either—

- (a) become worse; or
- (b) caused a further injury to develop

and in both cases—

- (i) the worsening or the development is unexpected and exceptional, and
- (ii) the injury, or the injury and the further injury together, would, on the date of the review attract an amount specified in column (b) of Table 10 of the tariff which is higher than that awarded for the injury.

(3) The Secretary of State's decision on a review under this article and the reasons for the decision shall be in writing and shall be given or sent to the member of the forces concerned who shall at the same time, be informed of his right—

- (a) to a reconsideration under article 45; and
- (b) to appeal to [^{F100}the appropriate tribunal] under section 5A(1) of the Pensions Appeal Tribunals Act 1943.

[^{F101}(4) Where the Secretary of State increases the amount of benefit awarded in the original decision only the difference between the amount of the original award and the amount of the revised award shall be paid.

(5) For the purposes of paragraph (4), the original award means the amount of the lump sum awarded in the original decision together with any award of additional multiple injury lump sum or any award of additional lump sum applicable to that original decision.]

Textual Amendments

- F98** Words in art. 47(1) inserted (8.2.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2008 \(S.I. 2008/39\)](#), arts. 1(1), **12(a)**
- F99** Words in art. 47(1) substituted (8.2.2008) by virtue of [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2008 \(S.I. 2008/39\)](#), arts. 1(1), **12(b)**
- F100** Words in art. 47(3)(b) substituted (3.11.2008) by [The Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), arts. 1, 6(1), **Sch. 1 para. 282**
- F101** Art. 47(4)(5) inserted (15.12.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment No. 3\) Order 2008 \(S.I. 2008/2942\)](#), arts. 1(1), **15**

Review – exceptional circumstances

48.—(1) The Secretary of State may revise an award of injury benefit [^{F102}or of an additional multiple injury lump sum] if the conditions specified in paragraph (2) are satisfied and an application for a review is sent to the Veterans Agency.

(2) The circumstances referred to in paragraph (1) are that, within the period of 10 years starting with the date of the final decision [^{F103}to award injury benefit], the injury in respect of which the final decision was made either has—

- (a) become worse; or
- (b) caused a further injury to develop

and in both cases—

- (i) the worsening or the development is unexpected and exceptional, and

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- (ii) the injury, or the injury and the further injury together, would, on the date of the application for review, attract an amount specified in column (b) of Table 10 of the tariff which is higher than that awarded under the final decision.
- (3) An application for review under this article may only be made within the period of one year starting with the day on which the worsening or the development began.
- (4) The Secretary of State may only review an award under this article once.
- (5) An application for a review under this article shall—
 - (a) be in writing;
 - (b) ^{F104}
 - (c) be signed by or on behalf of the person making the application; and
 - (d) specify the ground on which the application is made.
- (6) The decision of the Secretary of State on an application for review under this article and the reasons for the decision shall be in writing and shall be given or sent to the applicant who shall, at the same time, be informed of his right—
 - (a) to a reconsideration of the decision under article 45; and
 - (b) to appeal to [^{F105}the appropriate tribunal] under section 5A(1) of the Pensions Appeal Tribunals Act 1943.
- ^{F106}(7) Where the Secretary of State increases the amount of benefit awarded in the original decision only the difference between the amount of the original award and the amount of the revised award shall be paid.
- (8) For the purposes of paragraph (7), the original award means the amount of the lump sum awarded in the original decision together with any award of additional multiple injury lump sum or any award of additional lump sum applicable to that original decision.]

Textual Amendments

F102 Words in art. 48(1) inserted (8.2.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2008 \(S.I. 2008/39\)](#), arts. 1(1), **13(1)**

F103 Words in art. 48(2) inserted (8.2.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2008 \(S.I. 2008/39\)](#), arts. 1(1), **13(2)**

F104 Art. 48(5)(b) omitted (30.6.2006) by virtue of [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2006 \(S.I. 2006/1438\)](#), arts. 1(2), **15**

F105 Words in art. 48(6)(b) substituted (3.11.2008) by [The Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), arts. 1, 6(1), **Sch. 1 para. 283**

F106 Art. 48(7)(8) inserted (15.12.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment No. 3\) Order 2008 \(S.I. 2008/2942\)](#), arts. 1(1), **16**

Review - award of damages

- 48A.—**(1) This article applies where—
- (a) the Secretary of State has made an award of benefit to a person;
 - (b) the person has recovered damages in respect of the injury or death for which the award of benefit is payable; and
 - (c) the Secretary of State is satisfied that benefit payable under the Order has not been taken into account in the assessment of the damages.

- (2) On a review under this article the Secretary of State may—
- (a) revise a decision—
 - (i) given under article 43,
 - (ii) revised under article 45, 47, 48 or 49, or
 - (iii) relating to benefit made by the First-tier Tribunal, a Pension Appeal Tribunal, the Upper Tribunal, an appropriate Social Security Commissioner or a court,in each case by withholding or reducing the amount of the award so as to cancel the award of benefit.
- (3) The decision of the Secretary of State on a review under this article and the reasons for the decision shall be in writing and shall be given or sent to the claimant who shall, at the same time, be informed of the right—
- (a) to a reconsideration of the decision under article 45; and
 - (b) to appeal to the appropriate tribunal under section 5A(1) of the Pensions Appeal Tribunals Act 1943 ^{M25}.
- (4) In this article “damages” has the meaning given in article 32(2).

Marginal Citations

M25 1943 c. 39, [section 5A\(1A\)](#) was inserted by the [Armed Forces \(Pensions and Compensation\) Act 2004](#) (c. 32), [section 5](#) and Schedule 1, paragraph 2.

Review – ignorance or mistake

49.—(1) Subject to paragraph (2), any decision of the Secretary of State may be reviewed by him at any time (including on the application of the claimant) if he is satisfied that the decision was given in ignorance of, or was based on, a mistake as to a material fact or of a mistake as to the law.

- (2) This article only applies—
- (a) if the material fact was knowable at the time the decision was made and was disclosed to the Secretary of State at that time;
 - (b) if the ignorance or mistake is the ignorance or mistake of the Secretary of State;
 - (c) where the ignorance or mistake relates to the diagnosis of an injury, where the correct diagnosis was knowable given the state of medical knowledge existing at the time the diagnosis was made.
- (3) On a review under this article, the Secretary of State may—
- (a) revise—
 - (i) a decision given under article 43,
 - (ii) a decision revised under article 45, 47 or 48, or
 - (iii) a decision revised under this articlein each case by increasing or reducing the amount of the award or so as to cancel an award of benefit;
 - (b) make an award of benefit where no award has been made before; or
 - (c) confirm the decision referred to in subparagraph (a).
- (4) The decision of the Secretary of State on an application for review under this article and the reasons for the decision shall be in writing and shall be given or sent to the claimant who shall, at the same time, be informed of his right—

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

- (a) to a reconsideration of the decision under article 45; and
- (b) to appeal to ^{F107}[the appropriate tribunal] under section 5A(1) of the Pensions Appeal Tribunals Act 1943.

^{F108}(5) Where the Secretary of State increases the amount of benefit awarded in the original decision only the difference between the amount of the original award and the amount of the revised award shall be paid.

(6) For the purposes of paragraph (5), the original award means the amount of the lump sum awarded in the original decision together with any award of additional multiple injury lump sum or any award of additional lump sum applicable to that original decision.]

Textual Amendments

F107 Words in art. 49(4)(b) substituted (3.11.2008) by [The Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), arts. 1, 6(1), **Sch. 1 para. 284**

F108 Art. 49(5)(6) inserted (15.12.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment No. 3\) Order 2008 \(S.I. 2008/2942\)](#), arts. 1(1), **17**

Burden of proof

50. The burden of proving any issue under this Order shall lie on the claimant.

Standard of proof

51. The standard of proof applicable in any decision which is required to be made under this Order shall be the balance of probabilities.

Evidence

52.—(1) For the purposes of determining any issue under this Order, the Secretary of State shall produce such medical or other records of—

- (a) a member of the forces;
- (b) a member of the forces who has died; or
- (c) a former member of the forces

as are in his possession and are relevant to the issues to be decided.

(2) The Secretary of State shall consider any evidence which appears to him to be relevant to the issues which are to be decided and shall determine those issues on that evidence.

(3) Where any decision required to be made under this Order is, or includes, a decision involving a medical issue, that decision shall be made in accordance with generally accepted medical and scientific knowledge prevailing at the time the decision is made.

Information and medical examination

53.—(1) Where a claim has been made and—

- (a) the Secretary of State sends the person making the claim a request in writing for further information which is reasonably required for the determination of that claim and that information is not given or sent to the Secretary of State within 3 months of the date on which the request is sent without providing a satisfactory explanation for that failure, or

- (b) the person making the claim, or the person in respect of whom the claim is made, has been requested to attend a medical examination at a time and place specified in a notice given or sent to him not less than ten days before the date of the examination and he fails to attend without providing, within three months of the date on which he was requested to attend, a satisfactory explanation for that failure

the claim shall be treated as never having been made.

(2) The treating of a claim as never having been made does not prevent the making of a new claim in accordance with the provisions of this Order.

[^{F109}(3) In this article, a reference to a claim includes a reference to an application by a claimant for reconsideration under article 45(1) and an application by a claimant for a review under article 47, 48 or 49.]

Textual Amendments

F109 Art. 53(3) substituted (30.6.2006) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2006 \(S.I. 2006/1438\)](#), arts. 1(2), **16**

Signed by authority of the Secretary of State for Defence

Ministry of Defence
8th March 2005

Ivor Caplin
Parliamentary Under Secretary of State

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

SCHEDULE 1

Article 2(1)

.....

SCHEDULE 2

Article 12(1)

MODIFICATIONS FOR RESERVE FORCES

1. The following definitions are inserted in article 2(1) in the appropriate alphabetical order—
“relevant service” has the same meaning as in regulations made under sections 83 and 84 of the Reserve Forces Act 1996 ;

.....

“reservist's award” means an award payable to a member of a reserve force by virtue of regulations made under sections 83 and 84 or the Reserve Forces Act 1996 in respect of financial loss suffered by him during relevant service, but does not include—

- (a) any award payable to a self-employed member of a reserve force in respect of his status as an employer,
- (b) any amount payable to a reservist as a result of expenses incurred by him during a period of relevant service, or
- (c) any payments made into his civilian occupational pension scheme;

.....

2.—(1) For paragraph (1) of article 4 there is substituted the following paragraph—

“(1) Subject to paragraph (3), in this Order “salary”, in relation to a member of the reserve forces in respect of whom benefit is payable, means—

- (a) the basic pay of a regular member of the forces who is of equivalent rank and seniority,
- (b) an amount which represents any reservist's award to which he is entitled on the day he leaves the service by virtue of him being in relevant service on that day,
- (c) where he is not in relevant service on the day he leaves service, an amount which represents any reservist's award he would have been entitled to had he been in relevant service on that day, and
- (d) any other amount if and to the extent that the Secretary of State has determined that it is to be treated as salary.”

(2) In paragraph (2) of article 4 for “(1)(b)” there is substituted “(1)(d)”.

2A. For article 27 there is substituted the following—

“27.—(1) This article applies where death is caused (wholly or partly) by service in the reserve forces.

(2) Subject to the following provisions of this article the bereavement grant payable in respect of the death of a person who was a member of the reserve forces on the day of death is £25,000.

(3) Subject to paragraph (4), where the person was not a member of a reserve forces pension scheme the amount of the bereavement grant is £37,500.

(4) Where the person was an active member of the RFPS 2005 the amount of the bereavement grant is the difference between the salary of the member of the reserve forces on the day of death and the amount specified in paragraph (2).

(5) Where a former member of the reserve forces dies, the bereavement grant is £37,500.

(6) In the event that there is more than one surviving spouse entitled to the bereavement grant, the amount to which each such surviving spouse is entitled shall be the amount payable, in accordance with the provisions of this article, divided by the number of spouses so entitled at the date of death of the member or former member of the reserve forces.

(7) In this article—

- (a) “active member” in relation to a reserve forces pension scheme has the meaning given in section 124(1) of the Pensions Act 1995 ;
- (b) “reserve forces pension scheme” means the FTRSPS 2010, the NPRSPS or the RFPS 2005.”

3. For article 31 there is substituted the following article—

“**31.**—(1) —(1) Where a person is entitled to guaranteed income payment, survivor's guaranteed income payment or child's payment for any period during which he is also entitled to—

- (a) a pension under the AFPS 1975 or the AFPS 2005 (“a pension”);
- (b) a payment under the Armed Forces Early Departure Payments Scheme Order 2005 (“a payment”);
- (c) a pension under the the FTRSPS 2010, the NRPSPS or the RFPS 2005 (“a reserve forces pension”); or
- (d) benefit under an occupational pension scheme or a personal pension scheme in respect of the same injury or death for which guaranteed income payment, survivor's guaranteed income payment or child's payment is paid (“a civilian pension”)

the guaranteed income payment, survivor's guaranteed income payment or child's payment as the case may be is reduced in accordance with paragraphs (2) and (3).

(2) Where a person is entitled to a guaranteed income payment for any period during which he is also entitled to—

- (a) a pension or a reserve forces pension which is not an invaliding or ill-health pension paid for the same injury for which the guaranteed income payment is paid, a payment, or a civilian pension, then the amount of the guaranteed income payment is reduced by 75 per cent. of the amount of that pension, reserve forces pension, payment or civilian pension;
- (b) a pension or a reserve forces pension which is an invaliding or ill-health pension paid for the same injury for which the guaranteed income payment is paid, then the amount of guaranteed income payment is reduced by the full amount of the invaliding or ill-health pension.

(3) Where a person is entitled to a survivor's guaranteed income payment or a child's payment for any period during which he is also entitled to a pension, reserve forces pension or civilian pension, then the amount of the survivor's guaranteed income payment or child's

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payment is reduced by 75 per cent. of the amount of that pension, reserve forces pension or civilian pension.

(4) In this article—

- (a) any reference to a pension, payment, reserve forces pension, civilian pension, invaliding pension or ill-health pension means the gross amount , irrespective of any commutation, of that pension, payment, reserve forces pension, civilian pension, invaliding pension or ill-health pension;
- (b)
- (c)
- (d) “occupational pension scheme” has the meaning given in section 1 of the Pension Schemes Act 1993 ;
- (e) “personal pension scheme” means a personal pension scheme within the meaning of section 1 of the Pension Schemes Act 1993 which has been approved under Chapter IV of Part XIV of the Income and Corporation Taxes Act 1988 or provisionally approved under section 655(5) of that Act.”

SCHEDULE 3

.....

SCHEDULE 3

Article 12(2)

.....

SCHEDULE 4

Article 14

THE TARIFF

Table 1 - Burns(*)

<i>Item</i>	<i>Column (a) Level</i>	<i>Column (b) Injury</i>
1.	4	Burns, with deep second degree, third degree, or full thickness burns affecting 70 per cent or more of whole body surface area.
2.	5	Burns, with deep second degree, third degree, or full thickness burns affecting 50 to 69.9 per cent of whole body surface area.
3.	6	Burns, with deep second degree, third degree, or full thickness burns affecting 15 to 49.9 per cent of whole body surface area.

(*) Awards for all burns include compensation for any residual scarring or pigmentation and take into account any skin grafting.

(*) Awards for deep second degree, third degree or full thickness burns include compensation for actual or expected metabolic or cardiovascular consequences.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Status: Point in time view as at 09/05/2011.

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4.	6	Burns, with deep second degree, third degree, or full thickness burns to the face or face and neck including one or more of the following: loss of or very severe damage to chin, ear, lip or nose, resulting in or expected to result in residual scarring and poor cosmetic outcome despite treatment and camouflage.
5.	7	Burns, with deep second degree, third degree, or full thickness burns to the face or face and neck resulting in or expected to result in residual scarring and poor cosmetic results despite treatment and camouflage.
6.	8	Burns, with deep second degree, third degree, or full thickness burns affecting 9 to 14.9 per cent of whole body surface area.
7.	9	Burns, with deep second degree, third degree, or full thickness burns to the face or face and neck resulting in or expected to result in residual scarring and satisfactory cosmetic results with camouflage.
8.	11	Burns, with deep second degree, third degree, or full thickness burns affecting 4.5 to 8.9 per cent of whole body surface area.
9.	12	Burns, with deep second degree, third degree, or full thickness burns affecting less than 4.5 per cent of whole body surface area.
10.	12	Burns, with first degree or superficial second degree burns affecting more than 15 per cent of whole body surface area.
11.	13	Burns, with first degree or superficial second degree burns to the face or face and neck.
12.	14	Burns, with first degree or superficial second degree burns affecting 4.5 to 15 per cent of whole body surface area.
13.	15	Burns, with first degree or superficial second degree burns affecting 1 to 4.4 per cent of whole body surface area.

(*) Awards for all burns include compensation for any residual scarring or pigmentation and take into account any skin grafting.

(*) Awards for deep second degree, third degree or full thickness burns include compensation for actual or expected metabolic or cardiovascular consequences.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Textual Amendments

F134 Sch. 4 Tables 1-9 substituted (16.9.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment No. 2\) Order 2008 \(S.I. 2008/2160\)](#), arts. 1(1), **3(1)(2)(3)**

Table 2 – Injury, Wounds and Scarring(*)

<i>Item</i>	<i>Column (a) Level</i>	<i>Column (b) Injury</i>
1.	5	Complex injury covering all or most of the area from thigh to ankle or shoulder to wrist, with complications, causing permanent significant functional limitation and restriction.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

- 2. 5 Loss of both kidneys or chronic renal failure.
- 3. 6 Complex injury covering all or most of the area from thigh to knee, knee to ankle, shoulder to elbow or elbow to wrist, with complications, causing permanent significant functional limitation and restriction.
- 4. 6 Injury covering all or most of the area from thigh to ankle or shoulder to wrist, with complications, causing permanent significant functional limitation and restriction.
- 5. 6 Complex injury to chest, with complications, causing permanent significant functional limitation and restriction.
- 6. 7 Complex injury covering all or most of the area from thigh to ankle or shoulder to wrist, causing permanent significant functional limitation and restriction.
- 7. 7 Injury covering all or most of the area from thigh to knee, knee to ankle, shoulder to elbow or elbow to wrist, with complications, causing permanent significant functional limitation and restriction.
- 8. 7 Injury to chest, with complications, causing permanent significant functional limitation and restriction.
- 9. 7 Complex injury to chest causing permanent significant functional limitation and restriction
- 10. 7 Complex injury to abdomen, including pelvis, with complications, causing permanent significant functional limitation and restriction.
- 11. 7 Severe facial lacerations including one or more of the following: loss of or very severe damage to chin, ear, lip or nose, which produce poor cosmetic result despite camouflage and have required, or are expected to require, operative treatment.
- 11A. 7 High velocity gun shot wound, deep shrapnel fragmentation or other penetrating injury (or all or any combination of these) with clinically significant damage to bone, soft tissue structures and vascular or neurological structures of the head and neck, chest, back, abdomen or limb, with complications, which have required, or are expected to require, operative treatment with residual permanent significant functional limitation and restriction.
- 12. 8 Injury covering all or most of the area from thigh to ankle or shoulder to wrist, causing permanent significant functional limitation and restriction.
- 13. 8 Complex injury covering all or most of the area from thigh to knee, knee to ankle, shoulder to elbow or elbow to wrist, causing permanent significant functional limitation and restriction.
- 14. 8 Severe facial lacerations which produce poor cosmetic result despite camouflage and have required, or are expected to require, operative treatment.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

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| 15. | 8 | Injury to abdomen, including pelvis, with complications, causing permanent significant functional limitation and restriction. |
| 16. | 8 | Complex injury to abdomen, including pelvis, causing permanent significant functional limitation and restriction. |
| 17. | 8 | Injury to chest, causing permanent significant functional limitation and restriction. |
| 18. | 9 | Injury to abdomen, including pelvis, causing permanent significant functional limitation and restriction. |
| 19. | 9 | Injury covering all or most of the area from thigh to knee, knee to ankle, shoulder to elbow or elbow to wrist, causing permanent significant functional limitation and restriction. |
| 20. | 9 | Complex injury covering all or most of the hand, with complications, causing permanent significant functional limitation and restriction. |
| 20A. | 9 | High velocity gun shot wound, deep shrapnel fragmentation or other penetrating injury (or all or any combination of these) with clinically significant damage to soft tissue structures and vascular or neurological structures of the head and neck, chest, back, abdomen or limb, which have required, or are expected to require, operative treatment with residual permanent significant functional limitation and restriction. |
| 21. | 10 | Serious permanent damage to, or loss of, one kidney. |
| 22. | 10 | Severe facial lacerations which have required, or are expected to require, operative treatment resulting in or expected to result in a satisfactory cosmetic result. |
| 23. | 10 | Complex injury covering all or most of the area from thigh to ankle or shoulder to wrist, with complications, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date. |
| 24. | 10 | Complex injury to chest, with complications, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date. |
| 25. | 10 | Complex injury covering all or most of the foot, with complications, causing permanent significant functional limitation and restriction. |
| 26. | 11 | Complex injury covering all or most of the area from thigh to ankle or shoulder to wrist, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date. |
| 27. | 11 | Traumatic damage to spleen which has required splenectomy and where there is, or where there is a high risk of, overwhelming post-splenectomy infection. |
| 28. | 11 | Severe facial scarring which produces a poor cosmetic result despite camouflage. |

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

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| 29. | 11 | High velocity gun shot wound, deep shrapnel fragmentation or other penetrating injury (or all or any combination of these) with clinically significant damage to soft tissue structures of the head and neck, chest, back, abdomen or limb, which have required, or are expected to require, operative treatment with residual permanent significant functional limitation and restriction. |
| 30. | 11 | Complex injury covering all or most of the area from thigh to knee, knee to ankle, shoulder to elbow or elbow to wrist, with complications, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date. |
| 31. | 11 | Injury covering all or most of the area from thigh to ankle or shoulder to wrist, with complications, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date. |
| 32. | 11 | Complex injury to chest, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date. |
| 33. | 11 | Complex injury to abdomen, including pelvis, with complications, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date. |
| 34. | 11 | Complex injury covering all or most of the hand, with complications, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date. |
| 35. | 12 | Complex injury covering all or most of the area from thigh to knee, knee to ankle, shoulder to elbow or elbow to wrist, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date. |
| 36. | 12 | Severe scarring of face, or face and neck, or neck, scalp, torso or limb, where camouflage produces a good cosmetic result. |
| 37. | 12 | Injury to chest, with complications, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date. |
| 38. | 12 | Injury covering all or most of the area from thigh to ankle or shoulder to wrist, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date. |
| 39. | 12 | High velocity gun shot wound, deep shrapnel fragmentation or one or more puncture wounds (or all or any combination of these injuries) to the head and neck, chest, back, abdomen or limb which have required, or are expected to require, operative treatment with substantial functional recovery.. |
| 40. | 12 | Traumatic injury to genitalia requiring treatment resulting in severe permanent damage or loss. |

41. 12 Injury covering all or most of the area from thigh to knee, knee to ankle, shoulder to elbow or elbow to wrist, with complications, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date.
42. 12 Complex injury to abdomen, including pelvis, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date.
43. 12 Complex injury covering all or most of the foot, with complications, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date.
44. 13 Injury to abdomen, including pelvis, with complications, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date.
45. 13 Injury to all or most of the area from thigh to knee, knee to ankle, shoulder to elbow or elbow to wrist, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date.
46. 13 Injury to chest, causing or expected to cause significant functional limitation and restriction at 26 weeks, where the claimant has made or is expected to make a substantial recovery beyond that date.
47. 13 Moderate facial scarring where camouflage produces a good cosmetic result.
48. 13 Lung damage due to toxic fumes, smoke inhalation or blast, where symptoms have continued, or are expected to continue beyond 6 weeks and where the claimant has made or is expected to make a substantial recovery within 26 weeks.
49. 13 Traumatic tension or open pneumothorax.
50. 13 Superficial shrapnel fragmentation or one or more puncture wounds (or both such injuries) to head and neck, torso or limb which have required, or are expected to require, operative treatment.
51. 13 Fractured tooth which has required, or is expected to require, root resection.
52. 13 Loss of two or more front teeth.
53. 14 Injury to abdomen including pelvis, causing or expected to cause significant functional limitation and restriction at 26 weeks, with substantial recovery beyond that date.
54. 14 Moderate scarring of scalp, neck, torso or limbs where camouflage produces a good cosmetic result.
55. 14 Minor facial scarring.
56. 14 Flesh wound which has required, or is expected to require, operative treatment.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

57.	14	Traumatic injury to genitalia requiring treatment resulting in moderate permanent damage.
58.	14	Damage to one front tooth which has required, or is expected to require, a crown or root canal surgery.
59.	14	Damage to two or more teeth other than front which have required, or are expected to require, crowns or root canal surgery.
60.	14	Loss of one front tooth.
61.	14	Loss of two or more teeth other than front.
62.	14	Cold injury with persisting symptoms and significant functional limitation and restriction.
63.	15	Minor scarring of scalp, neck, torso or limbs.
64.	15	Injury to abdomen, including pelvis, causing or expected to cause significant functional limitation and restriction at 13 weeks, with substantial recovery within 26 weeks.
65.	15	Shrapnel fragmentation or one or more puncture wounds (or both such injuries) to head and neck, torso or limb not requiring operative treatment.
66.	15	Cold injury which has caused, or is expected to cause, symptoms and significant functional limitation and restriction at 6 weeks, with substantial recovery beyond that date.

(*) When applied to limb injuries the expression “complex injury” means that the injury affects all or most of the following structures: skin, subcutaneous tissues, muscle, bone, blood vessels and nerves.

(*) When applied to limb injuries the expression “with complications” means that the injury is complicated by at least one of septicaemia, osteomyelitis, clinically significant vascular or neurological injury, avascular necrosis, gross shortening of the limb, mal-united or non-united fracture, or the fact that the claimant has required, or is expected to require, a bone graft.

(*) When applied to chest and abdominal (including pelvis) injuries the expression “complex injury” means that there is clinically significant damage to vital structures and organs including two or more of the following: trachea, lungs, heart, gastrointestinal tract, great vessels, diaphragm, chest or abdominal wall, pelvic floor, liver, pancreas, kidneys, bladder, spleen or ovaries.

(*) When applied to chest and abdominal (including pelvis) injuries the expression “with complications” means that management of the injury has required two or more of the following: resuscitation, ventilation, thoracic or abdominal drainage, a laparotomy with repair and/or removal of organs and structures.

(*) Any award for injury to limbs, back, chest or abdomen includes compensation for related scarring and damage to, or removal of structures (including skin, subcutaneous tissue, muscle, bone, tendons, ligaments, blood vessels and nerves).

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any injury, the expression “vital structures” includes major nerve or blood vessels.

(*) When applied to any injury, the term “torso” means any part of the chest, abdomen or back.

(*) When applied to any injury, the expression “functional limitation and restriction” means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, delayed recovery or injury to self or others as a direct result of the injury itself.

(*) When applied to any limb, the expression “injury covering all or most of the area” means external injury causing direct damage to contiguous areas of the limb circumference. In the case of a lower limb this may include direct damage to the buttocks.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

(*) Where a limb injury is accompanied by acute compartment syndrome requiring operative treatment the award shall be increased by £3,000.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

Textual Amendments

- F135** Sch. 4 Table 2 item 11A inserted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **11(2)(a)** (with art. 12)
- F136** Sch. 4 Table 2 item 20A inserted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **11(2)(a)** (with art. 12)
- F137** Words in Sch. 4 Table 2 item 29 substituted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **11(2)(b)** (with art. 12)
- F138** Words in Sch. 4 Table 2 item 39 substituted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **11(2)(c)** (with art. 12)

Table 3 - Mental disorders(*)

<i>Item</i>	<i>Column (a) Level</i>	<i>Column (b) Injury</i>
1.	8	Permanent mental disorder, causing severe functional limitation and restriction.
2.	9	Permanent mental disorder, causing moderate functional limitation and restriction.
3.	10	Mental disorder, causing functional limitation and restriction, which has continued, or is expected to continue for 5 years.
4.	12	Mental disorder, which has caused or is expected to cause functional limitation and restriction at 2 years, from which the claimant has made, or is expected to make, a substantial recovery within 5 years.
5.	13	Mental disorder, which has caused, or is expected to cause, functional limitation and restriction at 26 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 2 years.
6.	14	Mental disorder, which has caused or is expected to cause, functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.

(*) When applied to any disorder, the expression “functional limitation and restriction” means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery or of injury to self or others as a direct result of the disorder itself.

(*) In assessing functional limitation and restriction for mental disorders account shall be taken of psychological, social and occupational function.

(*) Functional limitation and restriction is likely to be severe where symptoms or behaviours include mania, delusions, hallucinations, severe depression with suicidal preoccupations or abnormal rituals.

(*) Mental disorders must be diagnosed by a relevant accredited medical specialist.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

Table 4 – Physical disorders including infectious diseases(*)

Item	Column (a) Level	Column (b) Injury
1.	6	Physical disorder causing severe functional limitation and restriction where life expectancy is less than five years.
2.	7	Physical disorder causing severe functional limitation and restriction where life expectancy is reduced, but is more than 5 years.
3.	8	Infertility.
4.	9	Physical disorder causing permanent severe functional limitation and restriction.
5.	11	Physical disorder which has caused, or is expected to cause severe functional limitation and restriction at 26 weeks from which the claimant has made, or is expected to make, a substantial recovery beyond that date.
6.	11	Physical disorder causing permanent moderate functional limitation and restriction.
6A.	12	Persisting physical disorder where symptoms and functional effects are well controlled by regular medication.
7.	13	Physical disorder which has caused, or is expected to cause, severe functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
8.	13	Physical disorder which has caused, or is expected to cause, moderate functional limitation and restriction at 26 weeks, from which the claimant has made, or is expected to make, a substantial recovery beyond that date.
9.	14	Physical disorder which has caused, or is expected to cause, severe functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 13 weeks.
10.	14	Physical disorder which has caused, or is expected to cause, moderate functional limitation and restriction at 13 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
11.	15	Physical disorder which has caused, or is expected to cause, moderate functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 13 weeks.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any disorder, the expression “functional limitation and restriction” means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery, or of injury to self or others, as a direct result of the disorder itself.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Textual Amendments

F139 Sch. 4 Table 4 item 6A inserted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **11(3)** (with art. 12)

Table 5 - Amputations(*)

<i>Item</i>	<i>Column (a) Level</i>	<i>Column (b) Injury</i>
1.	1	Loss of both legs (above or below knee) and both arms (above or below elbow).
2.	1	Loss of both eyes or sight in both eyes and loss of either both legs (above or below knee), or both arms (above or below elbow).
3.	1	Total deafness and loss of either both legs or both arms.
4.	2	Loss of both legs above knee (hip disarticulation or hemipelvectomy).
5.	2	Loss of both arms above elbow (shoulder disarticulation or forequarter).
6.	2	Loss of both legs above or below knee (not hip disarticulation or hemipelvectomy) and one arm (above or below elbow).
7.	2	Loss of both arms above or below elbow (not shoulder disarticulation or forequarter) and one leg (above or below knee).
7A.	2	Loss of one arm, above or below elbow, and one leg, above or below knee, with total loss of use of another limb due to traumatic injury involving vital structures.*
8.	3	Loss of both legs at or above knee (trans-femoral or knee disarticulation).
9.	3	Loss of both arms at or above elbow (trans-humeral or elbow disarticulation).
10.	3	Loss of one leg above knee (hip disarticulation or hemipelvectomy).
11.	3	Loss of one arm above elbow (shoulder disarticulation or forequarter).
12.	4	Loss of both legs below knee (trans-tibial).
13.	4	Loss of both arms below elbow (trans-radial).
14.	4	Loss of both hands (wrist disarticulation) or where amputation distal to that site has led to permanent total loss of use of both hands.

(*) Loss of a finger or thumb means that amputation has taken place at the metacarpophalangeal joint.

(*) Loss of a toe means that amputation has taken place at the metatarsophalangeal joint.

(*) "Total loss of use of another limb" means the total loss of the physical capacity or power to carry out its expected functions as compared with a normal healthy person of the same age and sex.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

15.	5	Loss of both feet at ankle or where amputation distal to that site has led to permanent total loss of use of both feet.
16.	5	Loss of one leg at or above knee (trans-femoral or knee disarticulation).
17.	5	Loss of one arm at or above elbow (trans-humeral or elbow disarticulation).
18.	6	Loss of one leg below knee (trans-tibial).
19.	6	Loss of one arm below elbow (trans-radial).
20.	6	Loss of one hand (wrist disarticulation) or where amputation distal to that site has led to permanent total loss of use of one hand.
21.	7	Loss of both thumbs.
22.	8	Loss of one foot at ankle or where amputation distal to that site has led to permanent total loss of use of foot.
23.	10	Loss of both great toes.
24.	10	Loss of thumb.
25.	10	Loss of both index fingers.
26.	10	Loss of two or more fingers, other than thumb or index finger, from each hand.
27.	10	Partial loss of thumb and index finger from each hand.
28.	11	Loss of two or more fingers, other than thumb or index finger, from one hand.
29.	12	Loss of great toe.
30.	12	Loss of two or more toes, other than great toe, from each foot.
31.	12	Loss of index finger from one hand.
32.	12	Partial loss of thumb and index finger from one hand.
33.	12	Partial loss of two or more fingers, other than thumb or index finger, from each hand.
34.	12	Loss of finger, other than thumb or index finger, from each hand.
35.	12	Partial loss of thumb or index finger from each hand.
36.	12	Persistent phantom limb pain.
37.	12	Stump neuroma with trigger point stump pain.
38.	13	Loss of two or more toes, other than great toe, from one foot.
39.	13	Partial loss of each great toe.

(*) Loss of a finger or thumb means that amputation has taken place at the metacarpophalangeal joint.

(*) Loss of a toe means that amputation has taken place at the metatarsophalangeal joint.

(*) "Total loss of use of another limb" means the total loss of the physical capacity or power to carry out its expected functions as compared with a normal healthy person of the same age and sex.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Status: Point in time view as at 09/05/2011.**Changes to legislation:** There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

40.	13	Partial loss of one finger, other than thumb or index finger, from each hand.
41.	13	Loss of one finger, other than thumb or index finger, from one hand.
42.	13	Partial loss of two or more fingers, other than thumb or index finger, from one hand.
43.	13	Partial loss of thumb or index finger from one hand.
44.	14	Partial loss of great toe from one foot.
45.	14	Loss of one toe, other than great toe, from each foot.
45A.	14	Partial loss of two or more toes, other than great toe, from one foot.
46.	14	Partial loss of one finger, other than thumb or index finger, from one hand.
47.	15	Loss of one toe, other than great toe, from one foot.

(*) Loss of a finger or thumb means that amputation has taken place at the metacarpophalangeal joint.

(*) Loss of a toe means that amputation has taken place at the metatarsophalangeal joint.

(*) "Total loss of use of another limb" means the total loss of the physical capacity or power to carry out its expected functions as compared with a normal healthy person of the same age and sex.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Textual Amendments

F140 Sch. 4 Table 5 item 7A inserted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **11(4)** (with art. 12)

F141 Sch. 4 Table 5 item 45A inserted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **11(4)** (with art. 12)

Table 6 - Neurological disorders, including spinal cord, head or brain injuries (*)

<i>Item</i>	<i>Column (a) Level</i>	<i>Column (b) Injury</i>
1.	1	Spinal cord injury, at or above vertebra C3.
2.	1	Brain injury with persistent vegetative state. ^(a)
3.	1	Brain injury where epilepsy is present (or where there is a high risk of epilepsy) and the claimant has reflex activity but has little or no meaningful response to the environment, no language, double incontinence and requires full-time skilled nursing care. ^(b)
3A.	2	Brain injury where epilepsy is present (or where there is a high risk of epilepsy) and full-time skilled nursing care is required, and the claimant has two of the following: reflex activity but little or no meaningful response to the environment, no language or double incontinence. ^(ab)
4.	2	Spinal cord injury at vertebra C4, C5 or C6.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

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|-----|----|---|
| 5. | 3 | Spinal cord injury at vertebra C7, C8 or T1. |
| 6. | 3 | Brain injury where epilepsy is present (or where there is a high risk of epilepsy) where the claimant has limited response to the environment; substantial physical and sensory problems; one or more of cognitive, personality or behavioural problems and requires regular skilled nursing care. ^(c) |
| 7. | 4 | Spinal cord injury at vertebra T2 to T6. |
| 8. | 4 | Brain injury where epilepsy is present (or where there is a high risk of epilepsy) where the claimant has some limitation on response to the environment; some physical and sensory problems; and one or more of cognitive, personality or behavioural problems but does not require skilled nursing care. ^(d) |
| 9. | 4 | Uncontrolled post head injury epilepsy. |
| 10. | 5 | Spinal cord injury at vertebra T7 to T10. |
| 11. | 5 | Hemiplegia. |
| 12. | 5 | Brain injury with some risk of epilepsy, where the claimant has moderate physical or sensory problems; one or more of cognitive, personality or behavioural problems and requires some help from others with activities of everyday living but not personal or nursing care. ^(d) |
| 13. | 6 | Spinal cord injury at vertebra T11 to L1. |
| 14. | 7 | Spinal cord injury at vertebra below L1. |
| 15. | 7 | Brain injury with some persisting physical or sensory problems; one or more of cognitive, personality or behavioural problems and requires occasional help from others with activities of everyday living ^{(d) or (e)} . |
| 16. | 9 | Permanent upper limb paralysis due to traumatic damage to brachial plexus – pre-ganglionic. |
| 17. | 9 | Permanent isolated damage to one cranial nerve. |
| 18. | 10 | Permanent foot or wrist drop. |
| 19. | 11 | Brain injury from which the claimant has made, or is expected to make, a substantial recovery beyond 26 weeks, except for residual objectively verified vertigo ^(f) . |
| 20. | 11 | Brain haemorrhage or stroke which has caused, or is expected to cause, persistent significant functional limitation and restriction at 26 weeks, but where there has been, or is expected to be, a substantial recovery beyond that date. |
| 21. | 11 | Brain injury from which the claimant has made a substantial recovery and is able to resume work and social life with no significant physical, sensory or cognitive deficits but some residual problems with concentration and memory, disinhibited mood, personality change or depression. |

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

22.	11	Minor head injury which has caused, or is expected to cause, functionally limiting or restricting impaired balance or post traumatic syndrome for more than 52 weeks.
23.	12	Controlled post head injury epilepsy.
24.	12	Permanent substantial peripheral motor sensory or autonomic nerve damage.
25.	12	Entrapment neuropathy which has not responded to treatment.
26.	12	Permanent upper limb paralysis due to traumatic damage to brachial plexus – post-ganglionic.
27.	13	Permanent facial numbness including lip.
28.	13	Entrapment neuropathy which has responded, or is expected to respond, to treatment.
29.	13	Minor head injury which has caused, or is expected to cause, functionally limiting or restricting impaired balance or post-traumatic syndrome for more than 6 weeks, with substantial recovery beyond that date.
30.	14	Permanent facial numbness which does not include the lip.
31.	15	Permanent minor peripheral sensory nerve damage.

(*) An award for brain injury in levels 1, 3 or 4 includes compensation for associated epilepsy.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any injury or disorder, the expression “functional limitation and restriction” or “functionally limiting or restricting” means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery or of injury to self or to others as a direct result of the injury or disorder itself.

(*) Spinal cord injury – the level of spinal cord injury is the lowest intact spinal cord segment. An award for a spinal cord injury includes compensation for long-term neurological consequences, muscle spasms and effects on skin, spine, joints, bladder, bowel and sexual function and the cardiovascular and respiratory systems.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

(a) The Claimant is likely to have had a post-resuscitation Glasgow Coma scale of less than 5.

(b) The Claimant is likely to have had a post-resuscitation Glasgow Coma scale of less than 5.

(ab) The Claimant is likely to have had a post-resuscitation Glasgow Coma scale of less than 5.

(c) The Claimant is likely to have had a post-resuscitation Glasgow Coma scale of 6-8.

(d) The Claimant is likely to have had a post-resuscitation Glasgow Coma scale of 9-12.

(e) The Claimant is likely to have had a post-resuscitation Glasgow Coma scale of 13–15.

(f) The Claimant is likely to have had a post-resuscitation Glasgow Coma scale of 13–15.

Textual Amendments

F142 Sch. 4 Table 6 item 3A and footnote (ab) inserted (11.1.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2009 \(S.I. 2009/3236\)](#), arts. 1(1), **2(1)** (with art. 2(2)(3))

Table 7 – Sense(*)

<i>Item</i>	<i>Column (a) Level</i>	<i>Column (b) Injury</i>
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Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

1.	1	Total deafness and loss of both eyes, or total deafness and total blindness in both eyes, or total deafness and loss of one eye and total blindness in the other eye.
2.	2	Loss of eyes.
3.	2	Total blindness in both eyes.
4.	2	Loss of one eye and total blindness in the other eye.
5.	5	Loss of one eye and permanent damage to the other eye, where visual acuity is correctable to 6/36.
6.	6	Total deafness in both ears.
7.	6	Severe binocular visual field loss.
8.	8	Loss of one eye or total blindness in one eye.
9.	8	Bilateral permanent hearing loss of more than 75dB averaged over 1, 2 and 3kHz, with severe persistent tinnitus.
10.	9	Partial loss of vision where visual acuity is correctable to 6/60.
11.	9	Permanent and inoperable cataracts in both eyes.
12.	9	Total deafness in one ear.
13.	9	Bilateral permanent hearing loss of more than 75dB averaged over 1, 2 and 3kHz, with mild or no tinnitus.
14.	10	Partial loss of vision where visual acuity is correctable to better than 6/60 and at least 6/36.
15.	10	Detached retina in both eyes.
16.	10	Bilateral permanent hearing loss of 50–75dB averaged over 1, 2 and 3kHz, with severe tinnitus.
17.	10	Blast injury to ears with permanent sensorineural hearing loss in one ear of over 75dB averaged over 1, 2 and 3 kHz with severe persistent tinnitus.
18.	11	Partial loss of vision where visual acuity is correctable to better than 6/36 and at least 6/18.
19.	11	Blast injury to ears with permanent sensorineural hearing loss in one ear of 50-75dB averaged over 1, 2 and 3 kHz with severe persistent tinnitus.
20.	11	Blast injury to ears with permanent sensorineural hearing loss in one ear of over 75dB averaged over 1, 2 and 3 kHz with mild or no tinnitus.
21.	12	Partial loss of vision where visual acuity is correctable to better than 6/18 and at least 6/12.
22.	12	Permanent and inoperable cataract in one eye.
23.	12	Operable cataracts in both eyes.
24.	12	Moderate binocular visual field loss.
25.	12	Detached retina in one eye.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

26.	12	Secondary glaucoma.
27.	12	Bilateral permanent hearing loss of 50–75dB averaged over 1, 2 and 3kHz, with mild or no tinnitus.
28.	12	Blast injury to ears with permanent sensorineural hearing loss in one ear of 50-75dB averaged over 1, 2 and 3 kHz with mild or no tinnitus.
29.	13	Significant penetrating, or blunt, injury to both eyes.
30.	13	Retinal damage (not detached) to both eyes.
31.	13	Partial loss of vision where visual acuity is correctable to better than 6/12.
32.	13	Dislocation of lens in one eye.
33.	13	Degeneration of optic nerve in both eyes.
34.	13	Permanent diplopia.
35.	13	Blast injury to ears.
36.	14	Diplopia which is present, or is expected to be present, at 13 weeks, from which the claimant has made, or is expected to make, a substantial recovery beyond that date.
37.	14	Operable cataract in one eye.
38.	14	Corneal abrasions in both eyes.
39.	14	Hyphaema in both eyes which has required, or is expected to require, operative treatment.
40.	14	Retinal damage (not detached) in one eye.
41.	14	Significant penetrating, or blunt, injury in one eye.
42.	14	Degeneration of optic nerve in one eye.
43.	14	Slight binocular visual field loss.
44.	14	Traumatic mydriasis.
45.	15	Diplopia which is present, or is expected to be present, at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery beyond that date.
46.	15	Corneal abrasions in one eye.
47.	15	Hyphaema in one eye which has required, or is expected to require, operative treatment.

(*) For the purposes of the Scheme the following definitions apply

Total blindness in both eyes” means that the claimant must have been diagnosed as being blind by an accredited medical specialist;

Total blindness in one eye” means that the claimant must have been diagnosed by an accredited medical specialist and have a visual acuity of 3/60 or worse in the affected eye;

Total deafness” means that the claimant's bilateral average hearing threshold level is 90dB or more averaged over 1, 2 and 3 kHz as measured by appropriately calibrated equipment meeting British Standards, and using quality assured pure tone audiometry;

Total deafness in one ear” means that the average hearing threshold is 90dB or more averaged over 1, 2 and 3 kHz as measured by appropriately calibrated equipment meeting British Standards and using quality assured pure tone audiometry.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

(*) Degree of visual field loss should be assessed by reference to an accredited specialist physician report which includes reasons.

(*) The tariff values for blast injury to ears apply where the tympanic membrane is intact. Where the tympanic membrane is perforated the award shall be increased by £1,000.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Textual Amendments

F143 Sch. 4 Table 7 substituted (3.8.2010) by **The Armed Forces and Reserve Forces (Compensation Scheme) (Amendment) Order 2010 (S.I. 2010/1723)**, arts. 1(1), 11(6), **Sch. 1** (with art. 12)

Table 8 – Fractures and dislocations(*)

<i>Item</i>	<i>Column (a) Level</i>	<i>Column (b) Injury</i>
AA1.	9	Fracture of femur, tibia, humerus, radius or ulna, with complications, causing permanent significant functional limitation and restriction.
A1.	9	Fracture or dislocation of hip, elbow, wrist, ankle, knee or shoulder, which has required, or is expected to require, arthrodesis, osteotomy or total joint replacement.
1.	10	Fractured heels of both feet causing permanent significant functional limitation and restriction.
2.	10	Fractures or dislocations of both hips, both ankles, both knees, both shoulders, both elbows or both wrists causing permanent significant functional limitation and restriction.
3.	10	Multiple face fractures causing permanent significant cosmetic effect and functional limitation and restriction despite treatment.
4.	11	Fractures or dislocations of both hips, both ankles, both knees, both shoulders, both elbows or both wrists which have caused, or are expected to cause, significant functional limitation and restriction at 26 weeks, from which the claimant has made, or is expected to make a substantial recovery beyond that date.

(*) The tariff values for fractures refer to closed fractures. Where the fracture is open the award shall be increased by £1,000. Any associated scarring is included in the award.

(*) Where a fracture is accompanied by acute compartment syndrome requiring operative treatment the award shall be increased by £3,000.

(*) An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any injury, the expression “functional limitation and restriction” means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery, or of injury to self or others as a direct result of the injury itself.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

5.	11	Fractured heel of one foot causing permanent significant functional limitation and restriction.
6.	11	Fractured heel of each foot which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
7.	11	Fracture of pelvis which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
8.	11	Fracture or dislocation of great toe, of each foot, which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
9.	11	Fractured tarsal bones of each foot which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
10.	11	Fractures of both femurs, both tibiae, both humeri, both ulnae or both radii which have caused, or are expected to cause, significant functional limitation and restriction beyond 26 weeks.
10A.	11	Fracture of femur, tibia, humerus, radius or ulna causing permanent significant functional limitation and restriction.
10AA.	11	Fracture of femur, tibia, humerus, radius or ulna, with complications, which has caused, or is expected to cause, significant functional limitation and restriction at 52 weeks with substantial recovery beyond that date.
11.	11	Multiple fractures to face, or face and neck where treatment has led, or is expected to lead, to a good cosmetic and functional outcome.
12.	11	Fracture or dislocation of one hip, elbow, wrist, ankle, knee or shoulder causing permanent significant functional limitation and restriction.
13.	12	Fracture of one humerus, femur, radius, ulna or tibia which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
14.	12	Fracture of mandible or maxilla which has required or is expected to require operative treatment and which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.

(*) The tariff values for fractures refer to closed fractures. Where the fracture is open the award shall be increased by £1,000. Any associated scarring is included in the award.

(*) Where a fracture is accompanied by acute compartment syndrome requiring operative treatment the award shall be increased by £3,000.

(*) An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any injury, the expression "functional limitation and restriction" means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery, or of injury to self or others as a direct result of the injury itself.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

15.	12	Fracture of each hand which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
16.	12	Fracture of each clavicle or each scapula which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
17.	12	Fracture of the skull with sub-dural or extra-dural haematoma which has required evacuation, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
18.	12	Fracture or dislocation of thumb of each hand which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
19.	12	Fracture or dislocation of one hip, elbow, wrist, ankle, knee or shoulder which has caused, or is expected to cause, significant functional limitation and restriction at 26 weeks, with recovery beyond that date.
20.	12	Fracture or dislocation of index finger on each hand which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
21.	12	Fracture or dislocation of great toe on one foot which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
22.	12	Fractured tarsal bones on one foot which have caused, or are expected to cause, significant functional limitation and restriction beyond 26 weeks.
23.	12	Fractured heel of one foot which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
24.	12	Fractured heel of each foot from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
25.	12	Fractured or dislocated patella on each knee which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
26.	12	Fractured metatarsal bones on each foot which have caused, or are expected to cause, significant functional limitation and restriction beyond 26 weeks.

(*) The tariff values for fractures refer to closed fractures. Where the fracture is open the award shall be increased by £1,000. Any associated scarring is included in the award.

(*) Where a fracture is accompanied by acute compartment syndrome requiring operative treatment the award shall be increased by £3,000.

(*) An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any injury, the expression "functional limitation and restriction" means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery, or of injury to self or others as a direct result of the injury itself.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

27.	12	Fractures of both femurs, both ulnae, both tibiae, both humeri or both radii from which the claimant has made, or is expected to make a substantial recovery within 26 weeks.
28.	13	Fractured tarsal or metatarsal bones on each foot from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
29.	13	Fractured metatarsal bones on one foot which have caused, or are expected to cause, significant functional limitation and restriction beyond 26 weeks.
30.	13	Fracture or dislocation of great toe of each foot from which the claimant has made or is expected to make a substantial recovery within 26 weeks.
31.	13	Fracture of one femur, ulna, tibia, humerus or radius from which the claimant has made, or is expected to make a substantial recovery within 26 weeks.
32.	13	Fracture of skull with sub-dural or extra-dural haematoma which has not required evacuation.
33.	13	Fracture of ethmoid which has required or is expected to require operative treatment.
34.	13	Fracture of zygoma which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
35.	13	Fracture or dislocation of one hip, ankle, knee, shoulder, elbow or wrist from which the claimant has made or is expected to make a substantial recovery within 26 weeks.
36.	13	Fracture of one hand which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
37.	13	Fractured heel of one foot, from which the claimant has made, or is expected to make a substantial recovery within 26 weeks.
38.	13	Fracture of each hand from which the claimant has made, or is expected to make a substantial recovery within 26 weeks.
39.	13	Blow-out fracture of orbit which has required, or is expected to require, operative treatment.
40.	13	Dislocated jaw which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.

(* The tariff values for fractures refer to closed fractures. Where the fracture is open the award shall be increased by £1,000. Any associated scarring is included in the award.

(* Where a fracture is accompanied by acute compartment syndrome requiring operative treatment the award shall be increased by £3,000.

(* An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(* Any references to duration of effects in column (b) are from date of injury or onset of illness.

(* When applied to any injury, the expression "functional limitation and restriction" means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery, or of injury to self or others as a direct result of the injury itself.

(* Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

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41.	13	Fracture of scapula or clavicle which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
42.	13	Fracture of each clavicle or each scapula from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
43.	13	Fracture of pelvis from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
44.	13	Fracture of sternum which has, or is expected to have, symptoms continuing beyond 26 weeks.
44A.	13	Subluxed dislocated acromio or sterno-clavicular joint, which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
45.	13	Fractures or dislocations of two or more toes, other than great, of each foot which have caused, or are expected to cause, significant functional limitation and restriction beyond 26 weeks.
46.	13	Fracture or dislocation of thumb on one hand which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
47.	13	Fracture or dislocation of thumb of each hand which have caused, or are expected to cause, significant functional limitation and restriction at 13 weeks from which the claimant has made, or is expected to make a substantial recovery within 26 weeks.
48.	13	Fracture or dislocation of index finger on each hand, which have caused, or are expected to cause, significant functional limitation and restriction at 13 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
49.	13	Fractures or dislocations of two or more fingers, other than index, on each hand, which have caused, or are expected to cause, significant functional limitation and restriction beyond 26 weeks.
50.	13	Fracture or dislocation of index finger on one hand which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
51.	13	Fractured or dislocated patella of one knee which has caused, or is expected to cause significant functional limitation beyond 26 weeks.

(*) The tariff values for fractures refer to closed fractures. Where the fracture is open the award shall be increased by £1,000. Any associated scarring is included in the award.

(*) Where a fracture is accompanied by acute compartment syndrome requiring operative treatment the award shall be increased by £3,000.

(*) An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any injury, the expression "functional limitation and restriction" means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery, or of injury to self or others as a direct result of the injury itself.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

52.	14	Dislocated jaw from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
53.	14	Fractured zygoma from which the claimant has made, or is expected to make a substantial recovery within 26 weeks.
54.	14	Fractured ethmoid which has not, or is not expected to require, operative treatment.
55.	14	Fracture of mandible or maxilla from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
56.	14	Fracture of hand from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
57.	14	Deviated nasal septum requiring corrective surgery.
58.	14	Displaced fracture of nasal bones.
59.	14	Simple skull fracture.
60.	14	Fractured fibula which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
61.	14	Fracture or dislocation of thumb on one hand which has caused, or is expected to cause, significant functional limitation and restriction at 13 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
62.	14	Fracture or dislocation of index finger, on one hand, which has caused, or is expected to cause, significant functional limitation and restriction at 13 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
63.	14	Fracture or dislocation of one finger, other than index, on each hand, which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
64.	14	Fractures or dislocations of two or more fingers, other than index, on one hand, which have caused, or are expected to cause significant functional limitation and restriction beyond 26 weeks.
65.	14	Fractures or dislocations of two or more fingers, other than index, on each hand which have caused, or are expected to cause, significant functional limitation and restriction beyond 13 weeks from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.

(* The tariff values for fractures refer to closed fractures. Where the fracture is open the award shall be increased by £1,000. Any associated scarring is included in the award.

(* Where a fracture is accompanied by acute compartment syndrome requiring operative treatment the award shall be increased by £3,000.

(* An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(* Any references to duration of effects in column (b) are from date of injury or onset of illness.

(* When applied to any injury, the expression "functional limitation and restriction" means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery, or of injury to self or others as a direct result of the injury itself.

(* Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

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Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

66.	14	Fractures or dislocations of two or more toes, other than great toe, on one foot, which have caused, or are expected to cause, significant functional limitation and restriction beyond 26 weeks.
67.	14	Fractures or dislocations of one toe other than great toe, on each foot, which have caused, or are expected to cause, significant functional limitation and restriction beyond 26 weeks.
68.	14	Fractures or dislocations of two or more toes, other than great toe, on each foot, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
69.	14	Fracture or dislocation of great toe from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
70.	14	Fracture or dislocation of index finger on each hand, from which the claimant has made, or is expected to make, a substantial recovery within 13 weeks.
71.	14	Fracture or dislocation of thumb on each hand, from which the claimant has made, or is expected to make, a substantial recovery within 13 weeks.
72.	14	Subluxed dislocated acromio or sterno-clavicular joint from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
73.	14	Fracture of coccyx from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
74.	14	Fracture of clavicle or scapula from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
75.	14	Fracture of sternum from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
76.	14	Fractured tarsal or metatarsal bones on one foot which have caused, or are expected to cause, significant functional limitation and restriction at 13 weeks from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
77.	14	Fractured or dislocated patella of each knee which has caused, or is expected to cause, significant functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.

(* The tariff values for fractures refer to closed fractures. Where the fracture is open the award shall be increased by £1,000. Any associated scarring is included in the award.

(* Where a fracture is accompanied by acute compartment syndrome requiring operative treatment the award shall be increased by £3,000.

(* An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(* Any references to duration of effects in column (b) are from date of injury or onset of illness.

(* When applied to any injury, the expression "functional limitation and restriction" means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery, or of injury to self or others as a direct result of the injury itself.

(* Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

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78.	14	Stress fracture where symptoms have lasted, or are expected to last, for more than 6 weeks, where the claimant has made, or is expected to make, a substantial recovery beyond that date.
79.	15	Fracture of mastoid.
80.	15	Undisplaced fracture of nasal bones.
81.	15	Deviated nasal septum which has not required, or is not expected to require, operative treatment.
82.	15	Fractured or dislocated patella of one knee which has caused, or is expected to cause, significant functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
83.	15	Fracture of three or more ribs.
84.	15	Fractures or dislocations of two or more toes, on one foot, which have caused, or are expected to cause significant functional limitation and restriction at 13 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
85.	15	Fractures or dislocations of one toe, other than great toe, on each foot, which have caused, or are expected to cause significant functional limitation and restriction at 13 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
86.	15	Fracture or dislocation of thumb from which the claimant has made, or is expected to make, a substantial recovery within 13 weeks.
87.	15	Fractured tarsal or metatarsal bone on one foot, which has caused, or is expected to cause, significant functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 13 weeks.
88.	15	Fracture or dislocation of two or more fingers, other than index, on one hand which has caused, or is expected to cause, significant functional limitation and restriction at 13 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.

(*) The tariff values for fractures refer to closed fractures. Where the fracture is open the award shall be increased by £1,000. Any associated scarring is included in the award.

(*) Where a fracture is accompanied by acute compartment syndrome requiring operative treatment the award shall be increased by £3,000.

(*) An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any injury, the expression "functional limitation and restriction" means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery, or of injury to self or others as a direct result of the injury itself.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

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89.	15	Fracture or dislocation of two or more fingers, other than index, on each hand, from which the claimant has made, or is expected to make, a substantial recovery within 13 weeks.
90.	15	Fracture or dislocation of one finger, other than index, on each hand, which has caused, or is expected to cause, significant functional limitation and restriction at 13 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
91.	15	Fracture or dislocation of index finger on one hand, from which the claimant has made, or is expected to make, a substantial recovery within 13 weeks.
92.	15	Fracture or dislocation of one finger, other than index, on one hand, which has caused or is expected to cause significant functional limitation and restriction beyond 26 weeks.
93.	15	Fractured fibula from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
94.	15	Fracture of three vertebral transverse or spinous processes.

(* The tariff values for fractures refer to closed fractures. Where the fracture is open the award shall be increased by £1,000. Any associated scarring is included in the award.

(* Where a fracture is accompanied by acute compartment syndrome requiring operative treatment the award shall be increased by £3,000.

(* An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(* Any references to duration of effects in column (b) are from date of injury or onset of illness.

(* When applied to any injury, the expression "functional limitation and restriction" means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery, or of injury to self or others as a direct result of the injury itself.

(* Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Textual Amendments

F144 Sch. 4 Table 8 items AA1, A1 inserted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **11(7)(a)** (with art. 12)

F145 Sch. 4 Table 8 items 10A, 10AA inserted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **11(7)(a)** (with art. 12)

F146 Sch. 4 Table 8 item 44A inserted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **11(7)(a)** (with art. 12)

F147 Words in Sch. 4 Table 8 item 72 substituted (3.8.2010) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2010 \(S.I. 2010/1723\)](#), arts. 1(1), **11(7)(b)** (with art. 12)

Table 9 – Muscoskeletal disorders(*)

<i>Item</i>	<i>Column (a) Level</i>	<i>Column (b) Injury</i>
1.	7	Traumatic back injury with partial spinal cord injury causing permanent significant functional limitation and restriction.
2.	9	Permanent severely impaired grip in both hands.
3.	10	Ligament injury which has resulted in full thickness rupture, affecting both knees, ankles, shoulders, elbows or wrists, causing permanent significant functional limitation and restriction.
4.	11	Ligament injury which has resulted in full thickness rupture, affecting one knee, ankle, shoulder, elbow or wrist, causing permanent significant functional limitation and restriction.
5.	11	Ligament injury which has resulted in full thickness rupture, affecting both knees, ankles, shoulders, elbows, wrists which has caused, or is expected to cause, significant functional limitation and restriction at 26 weeks, from which the claimant is expected to make a substantial recovery beyond that date.
6.	11	Traumatic back injury (with medically verified neurological signs and vertebral damage) extending over several levels of vertebrae, which has required, or is expected to require, operative treatment and which has caused, or is expected to cause, significant functional limitation and restriction beyond 13 weeks.
7.	11	Radiologically confirmed juxta-articular aseptic necrosis of hip or shoulder.
8.	11	Ligament injury short of full thickness rupture, to both knees, ankles, shoulders, elbows or wrists, causing permanent significant functional limitation and restriction.
9.	11	Permanent severely impaired grip in one hand.
10.	11	Radiologically confirmed osteoarthritis of both knees, hips, ankles, shoulders, elbows or wrists (caused by a repetitive or attrition injury), causing permanent significant functional limitation and restriction.
11.	12	Two frozen shoulders which have caused, or are expected to cause, significant functional limitation and restriction beyond 26 weeks.
12.	12	Ligament injury short of full thickness rupture, to both knees, ankles, shoulders, elbows or wrists, which has caused, or is expected to cause, significant functional limitation and restriction

(*) An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any injury or disorder, the expression “functional limitation and restriction” means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery or of injury to self or others as a direct result of the injury or disorder itself.

(*) References to back in this table include cervical, thoracic, lumbar or sacral segments.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Status: Point in time view as at 09/05/2011.

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		at 26 weeks, from which the claimant has made or is expected to make a substantial recovery beyond that date.
13.	12	Ligament injury short of full thickness rupture, to one knee, ankle, shoulder, elbow or wrist, causing permanent significant functional limitation and restriction.
14.	12	Ligament injury which has resulted in full thickness rupture, affecting one knee, ankle, shoulder, elbow or wrist, which has caused, or is expected to cause, significant functional limitation at 26 weeks, from which the claimant has made, or is expected to make a substantial recovery beyond that date.
15.	12	Full thickness muscle or tendon unit rupture which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
16.	12	Traumatic back injury (with medically verified neurological signs and vertebral damage), extending over several levels of vertebrae which has caused, or is expected to cause, significant functional limitation and restriction beyond 13 weeks.
17.	13	Frozen shoulder, which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
18.	13	Two frozen shoulders, which have caused or are expected to cause significant functional limitation at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
19.	13	Ligament injury short of full thickness rupture, to both knees, ankles, shoulders, elbows or wrists from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
20.	13	Muscle or tendon unit injury short of full thickness rupture, which has caused, or is expected to cause, significant functional limitation and restriction beyond 26 weeks.
21.	13	Two muscle or tendon unit injuries, short of full thickness rupture, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
22.	13	Full thickness muscle or tendon unit rupture, from which the claimant has made, or is expected to make a substantial recovery within 26 weeks.
23.	13	Ligament injury short of full thickness rupture, to one knee, shoulder, ankle, elbow or wrist which has caused, or is expected to

(*) An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any injury or disorder, the expression “functional limitation and restriction” means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery or of injury to self or others as a direct result of the injury or disorder itself.

(*) References to back in this table include cervical, thoracic, lumbar or sacral segments.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

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		cause, significant functional limitation and restriction at 26 weeks with substantial recovery beyond that date.
24.	13	Traumatic back injury with one or more intervertebral disc prolapses or vertebral body or facet joint fractures which has caused or is expected to cause, significant functional limitation and restriction beyond 13 weeks.
25.	13	Radiologically confirmed osteoarthritis of knee, hip, ankle, shoulder, elbow or wrist (caused by repetitive or attrition injury) causing permanent significant functional limitation and restriction.
26.	13	Compartment syndrome which has lasted, or is expected to last, beyond 13 weeks.
26A.	13	Ankle, hip, knee, wrist, elbow or shoulder strain, sprain or overuse injury, which has required, or is expected to require, operative treatment.
27.	14	Frozen shoulder which has caused, or is expected to cause, significant functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
28.	14	Ligament injury short of full thickness rupture to one knee, ankle, shoulder, elbow or wrist, which has caused or is expected to cause, significant functional limitation and restriction at 13 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
29.	14	Muscle or tendon unit injury short of full thickness rupture, which has caused or is expected to cause significant functional limitation and restriction at 13 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
30.	14	Knee meniscus injury, ^{F149} . . . which has required, or is expected to require, operative management.
31.	14	Tendon or ligament rupture of finger, thumb or toe which has required, or is expected to require, operative treatment.
32.	14	Back sprain or strain, with one or more intervertebral disc prolapses which has caused, or is expected to cause significant functional limitation and restriction at 13 weeks.
33.	14	Low back or neck pain syndrome.
34.	14	Anterior knee pain syndrome in both knees which has caused, or is expected to cause, significant functional limitation and restriction

(*) An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any injury or disorder, the expression “functional limitation and restriction” means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery or of injury to self or others as a direct result of the injury or disorder itself.

(*) References to back in this table include cervical, thoracic, lumbar or sacral segments.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

		at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery beyond that date.
34A.	14	Overuse injury of foot or heel, which has required or is expected to require operative treatment.
35.	15	Knee meniscus injury which has caused, or is expected to cause, significant functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 26 weeks.
36.	15	Anterior knee pain syndrome in one knee which has caused, or is expected to cause, significant functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery beyond that date.
37.	15	Direct hernia which has required operative treatment.
38.	15	Frozen shoulder which has caused, or is expected to cause, significant functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 13 weeks.
39.	15	Ligament injury short of full thickness rupture, to one knee, ankle, shoulder, elbow or wrist which has caused, or is expected to cause, significant functional limitation and restriction at 6 weeks, from which the claimant has made, or is expected to make, a substantial recovery within 13 weeks.

(*) An award for an injury in this table includes compensation for any expected consequential osteoarthritis.

(*) Any references to duration of effects in column (b) are from date of injury or onset of illness.

(*) When applied to any injury or disorder, the expression “functional limitation and restriction” means difficulty in executing an activity or requirement to avoid an activity because of the risk of recurrence, or of delayed recovery or of injury to self or others as a direct result of the injury or disorder itself.

(*) References to back in this table include cervical, thoracic, lumbar or sacral segments.

(*) Awards for injuries in this table include compensation for any associated psychological effects short of a distinct diagnosable disorder.

Textual Amendments	
F148	Sch. 4 Table 9 item 26A inserted (3.8.2010) by The Armed Forces and Reserve Forces (Compensation Scheme) (Amendment) Order 2010 (S.I. 2010/1723) , arts. 1(1), 11(9)(a) (with art. 12)
F149	Words in Sch. 4 Table 9 item 30 omitted (3.8.2010) by virtue of The Armed Forces and Reserve Forces (Compensation Scheme) (Amendment) Order 2010 (S.I. 2010/1723) , arts. 1(1), 11(9)(b) (with art. 12)
F150	Sch. 4 Table 9 item 34A inserted (3.8.2010) by The Armed Forces and Reserve Forces (Compensation Scheme) (Amendment) Order 2010 (S.I. 2010/1723) , arts. 1(1), 11(9)(a) (with art. 12)

Table 10

<i>Column (a) Level</i>	<i>Column (b) Amount</i>
1	£570,000
2	£402,500
3	£230,000

Status: Point in time view as at 09/05/2011.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011). (See end of Document for details)

4	£172,500
5	£115,000
6	£92,000
7	£63,825
8	£48,875
9	£34,100
10	£23,100
11	£13,750
12	£9,075
13	£5,775
14	£2,888
15	£1,155.

Textual Amendments

F151 Sch. 4 Table 10 substituted (15.12.2008) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment No. 3\) Order 2008 \(S.I. 2008/2942\)](#), arts. 1(1), **19**

SCHEDULE 4

Article 14

.....

SCHEDULE 5

Article 16(2)

.....

Status:

Point in time view as at 09/05/2011.

Changes to legislation:

There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2005 (Revoked 9.5.2011).