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STATUTORY INSTRUMENTS

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**2005 No. 439**

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

**PART VII**

**ADJUDICATION**

**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 [<sup>F1</sup>, 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 [<sup>F2</sup>, 48A] or 49;
- (d) making a final award under article 44.

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**Textual Amendments**

**F1** 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)

**F2** 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)

**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), Section 46.