
STATUTORY INSTRUMENTS

2006 No. 606

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

PART IV

CLAIMS

Date of claim

37.—(1) In this Order “date of claim” means, subject to the following paragraphs of this article, the date on which a claim is received by the Secretary of State or by an authorised agent.

(2) Where—

- (a) not more than 3 months earlier than the date referred to in paragraph (1), an enquiry is made in person, in writing or orally to the Secretary of State or to an authorised agent about claiming any pension, retired pay, [^{F1}allowance, supplement or lump sum payment] for a named person; and
- (b) that enquiry is made by the person who subsequently makes the claim or by a relative of his or by a representative of a charitable organisation

then “date of claim” means the date on which the enquiry is received by the Secretary of State or, as the case may be, the authorised agent.

(3) Where—

- (a) a person is awarded a disablement pension or retired pay under article 6; and
- (b) within three months of the notification of that award being given or sent to him;
- (c) he makes a claim for an allowance specified in article 34 or a mobility supplement under article 20

then “date of claim” for the purposes of determining entitlement to that allowance or supplement, means the date of claim for the disablement pension or retired pay.

(4) Where—

- (a) a person is awarded a disablement pension or retired pay under article 6; and
- (b) subsequently he makes a claim for an allowance under article 34 or a mobility supplement under article 20;
- (c) but not within three months of the notification of that award being given or sent to him

then “date of claim” for the purpose of determining entitlement to that allowance or supplement means, subject to paragraph (5), the date on which the claim for the allowance or supplement is received by the Secretary of State or, as the case may be, the authorised agent.

(5) Where—

- (a) not more than 3 months earlier than the date referred to in paragraph (4), an enquiry is made in person, in writing or orally to the Secretary of State or to an authorised agent

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about claiming an allowance specified in article 34 or a mobility supplement under article 20; and

- (b) that enquiry is made by the person who subsequently makes the claim or by a relative of his or by a representative of a charitable organisation

then “date of claim” means the date on which the enquiry is received by the Secretary of State or, as the case may be, the authorised agent.

(6) Where a claim or an enquiry referred to in this article is made by post in the United Kingdom and the arrival of that claim or enquiry at the appropriate office of the Secretary of State or the authorised agent is delayed by postal disruption caused by industrial action, whether within the postal service or elsewhere, the claim shall be treated as having been received on the day on which it would have been received if it has been delivered in the ordinary course of the post.

(7) In this article “charitable organisation” includes a company limited by guarantee with charitable objects.

Textual Amendments

- F1** Words in art. 37(2)(a) substituted (11.4.2016) by [The Naval, Military and Air Forces Etc. \(Disablement and Death\) Service Pensions \(Amendment\) Order 2016 \(S.I. 2016/374\)](#), arts. 1(1), **5(5)**

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [art. 56\(3\)\(k\)](#) inserted by [S.I. 2024/191 art. 3](#)