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STATUTORY INSTRUMENTS

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**2006 No. 606**

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

**PART VII**

**REDUCTION AND CANCELLATION OF AWARDS**

**Forfeiture of pensions etc.**

**57.**—(1) Where a person to or in respect of whom a pension or gratuity may be or has been awarded in respect of death or disablement due to service—

- (a) is, in pursuance of a sentence or order of a Court upon his being found guilty of an offence, serving a term of imprisonment or detention or is detained in a young offender institution or, in Scotland, a young offenders institution or, in Northern Ireland, a young offenders centre; or
- (b) is, under any enactment deported from, required to leave, or prohibited from entering the United Kingdom or the Isle of Man, or is a person whose certificate of naturalisation has been revoked

the Secretary of State may withhold the award of the pension or gratuity or, if it has been awarded, may direct that it shall be forfeited as from such date (including past date) as he may think fit.

(2) Where the Secretary of State is satisfied that a dependant will suffer hardship where a pension is withheld or forfeited under paragraph (1), the Secretary of State may pay, with the pensioner's consent, up to half of the pension awarded under article 6 to the pensioner's spouse, the pensioner's civil partner, an unmarried dependant of the pensioner, a dependant of the pensioner who has not formed a civil partnership or to anyone lawfully entitled to give a good receipt in respect of monies payable to the pensioner's dependant.

(3) When paragraph (1) ceases to apply, the Secretary of State may award to the pensioner a sum not exceeding an amount calculated by reference to the number of weeks for which the pension was withheld or forfeited under paragraph (1), or 52 weeks, whichever is the lesser, and after the deduction of any amount paid under paragraph (2).

**Status:**

Point in time view as at 09/04/2012.

**Changes to legislation:**

There are currently no known outstanding effects for the The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006, Section 57.