
STATUTORY INSTRUMENTS

2009 No. 544

**The Armed Forces Pension Scheme
etc. (Amendment) Order 2009**

Inflation adjustments: supplementary

4.—(1) Article 11 (increases for inflation) is amended as follows.

(2) In paragraph (1) after “article 7” insert “in determining the amount of the person’s final relevant earnings”.

(3) For paragraphs (2) to (4) substitute—

“(2) For the purposes of determining the annual amount of the payments to be calculated in accordance with article 10(6), any adjustment required by article 7 is disregarded, and accordingly, the person’s actual total relevant earnings for the 365 consecutive days applicable in the person’s case under article 6(1) is taken to be the amount of the person’s final relevant earnings.

(3) But the payments calculated in accordance with article 10(6) must be increased by the same amount which they would be increased under the Pensions (Increase) Act 1971 if they were payments of pension so calculated and the pension was eligible to be increased under that Act.”.