

STATUTORY INSTRUMENTS

2011 No. 517

The Armed Forces and Reserve Forces (Compensation Scheme) Order 2011

PART 4

BENEFITS PAYABLE FOR DEATH

Description of benefits - death

29.—(1) Benefits payable for the death of a member or a former member (“the deceased”) are—

- (a) a survivor's guaranteed income payment payable until death to a surviving spouse, civil partner or surviving adult dependant;
- (b) a bereavement grant payable to a surviving spouse, civil partner [^{F1},]^{F2} . . . surviving adult dependant [^{F3}, or eligible child];
- (c) a child's payment payable to or in respect of an eligible child.

(2) If the deceased and the surviving spouse married less than 6 months before the death of the deceased, the Secretary of State may withhold benefit under this article.

(3) If the deceased and the surviving civil partner formed their partnership less than 6 months before the death of the deceased, the Secretary of State may withhold benefit under this article.

(4) Where a member was a member of the AFPS 2005 [^{F4}or the AFPS 2015] and dies in service, a bereavement grant is not payable except in the circumstances specified in paragraph (5).

(5) The circumstances referred to in paragraph (4) are that the salary of the deceased on the date of death is less than the amount of the bereavement grant.

[^{F5}(6) A bereavement grant is payable to an eligible child where the deceased does not leave a surviving spouse, civil partner or surviving adult dependant.]

Textual Amendments

- F1** Art. 29(1)(b): ", " inserted (17.11.2011) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2011 \(S.I. 2011/2552\)](#), arts. 1(1), **4(a)(i)** (with art. 10)
- F2** Word in art. 29(1)(b) omitted (17.11.2011) by virtue of [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2011 \(S.I. 2011/2552\)](#), arts. 1(1), **4(a)(ii)** (with art. 10)
- F3** Words in art. 29(1)(b) inserted (17.11.2011) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2011 \(S.I. 2011/2552\)](#), arts. 1(1), **4(a)(iii)** (with art. 10)
- F4** Words in art. 29(4) inserted (6.4.2015) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2015 \(S.I. 2015/413\)](#), arts. 1(1), **5**
- F5** Art. 29(6) inserted (17.11.2011) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2011 \(S.I. 2011/2552\)](#), arts. 1(1), **4(b)** (with art. 10)

Changes to legislation:

There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2011, Section 29.