
STATUTORY INSTRUMENTS

2011 No. 517

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

PART 1

PRELIMINARY

Definition of “salary”

4.—(1) Subject to the following provisions of this article, in this Order “salary”, in relation to a member or former member in respect of whom benefit is payable, means—

- (a) basic pay payable at the rate for a person of the member's substantive rank, or acting rank as the case may be, and seniority; and
- (b) any other amount if and to the extent that the Defence Council have determined that it is to be treated as salary.

(2) Subject to paragraph (1)(b), “salary” does not include—

- (a) any allowances; or
- (b) any additional amounts payable in respect of particular qualifications or duties (including payable to medical or dental officers), the location of service or the conditions in which service is temporarily performed.

(3) “Salary” does not include any description of payment that the Secretary of State has determined is not to be treated as salary.

[^{F1}(4) In relation to a member or former member who is (or was) serving on flexible terms for any period, the amounts to be used for any calculation under this article in respect of that period of flexible service are to be determined as though the member or former member had not served on flexible terms for that period.

(5) In this article—

“flexible service” means one or both of the following types of service—

- (a) part-time service;
- (b) restricted separation service,

and references to a member serving on flexible terms must be construed accordingly;

“part-time service” means—

- (a) for enlisted members, a period of service where the member is serving in accordance with an arrangement provided for in regulations made under section 329(2)(ha) of the Armed Forces Act 2006;
- (b) for members who are officers, a period of service on equivalent terms of service;

“restricted separation service” means—

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2011, Section 4. (See end of Document for details)

- (a) for enlisted members, a period of service where the member is serving in accordance with an arrangement which does not restrict the member's service in a particular area but does make it subject to other geographic restrictions provided for in regulations made under s329(2)(i) of the Armed Forces Act 2006;
- (b) for members who are officers, a period of service on equivalent terms of service.]

Textual Amendments

F1 Art. 4(4)(5) inserted (1.4.2019) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment No. 2\) Order 2018 \(S.I. 2018/1099\)](#), arts. 1(a), **2(2)**

Changes to legislation:

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