

SCHEDULE

ARMED FORCES INDEPENDENCE PAYMENTS: CONSEQUENTIAL AMENDMENTS AND SUPPLEMENTARY PROVISIONS

Amendment of the State Pension Credit Regulations 2002

23.—(1) The State Pension Credit Regulations 2002⁽¹⁾ are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation)⁽²⁾, at the appropriate place insert—

““armed forces independence payment” means armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;”.

(3) After regulation 15(1)(aa) (income for the purposes of the Act) insert “(ab) armed forces independence payment;”.

(4) In Schedule 1—

(a) in paragraph 1 (severe disablement)⁽³⁾—

(i) in sub-paragraph (1)(a)(i) after “section 78(3) of the 2012 Act” insert “or armed forces independence payment”;

(ii) in sub-paragraph (1)(b)(i) after “section 78(3) of the 2012 Act” insert “or armed forces independence payment”;

(iii) in sub-paragraph (1)(c)(i) after “section 78(3) of the 2012 Act” insert “or armed forces independence payment”; and

(iv) in sub-paragraph (2)(a) after “section 78(3) of the 2012 Act” insert “or armed forces independence payment”.

(b) in paragraph 2 (persons residing with the claimant whose presence is ignored), in sub-paragraph (2)(a) after “section 78(3) of the 2012 Act” insert “or armed forces independence payment”.

(5) In Schedule 2 (housing costs)—

(a) in paragraph 1(2)(a)(iii)(ee) after “the 2012 Act” insert “or is a person in respect of whom armed forces independence payment is payable;”;

(b) omit “or” after paragraph 14(6)(b)(ii);

(c) after paragraph 14(6)(b)(iii) insert—

“or

(iv) armed forces independence payment.”; and

(d) in paragraph 14(8)(a) after “disability living allowance” insert “, armed forces independence payment”.

(6) In Schedule 3 (special groups) (polygamous marriages) in paragraph 1(9) after “section 78(3) of the 2012 Act” insert “or armed forces independence payment”.

(7) In Schedule 5 (income from capital), after paragraph 20(2)(ba) insert—

“(bb) armed forces independence payment;”.

(8) In Schedule 6 (sums disregarded from claimant’s earnings), after paragraph 4(1)(a)—

(a) omit “or” at the end of paragraph (viii); and

⁽¹⁾ [S.I. 2002/1792](#) as amended by [S.I. 2013/388](#).

⁽²⁾ There are amendments to regulation 1(2) which are not relevant to this Order.

⁽³⁾ Paragraph 1(1) was amended by [S.I. 2002/3197](#), [2003/2274](#) and [2007/719](#).

Changes to legislation: *There are currently no known outstanding effects for the The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013, Paragraph 23. (See end of Document for details)*

- (b) after paragraph (viii) insert—
“(ix) armed forces independence payment; or”.

Commencement Information

II Sch. para. 23 in force at 8.4.2013, see [art. 2\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013, Paragraph 23.