
STATUTORY INSTRUMENTS

2014 No. 2328

The Armed Forces Early Departure
Payments Scheme Regulations 2014

PART 1

Preliminary

Earnings adjustments in determining final pensionable earnings

6.—(1) For the purposes of determining a person's final pensionable earnings under regulation 5 (meaning of "final pensionable earnings") the amount of pensionable earnings, as determined in accordance with regulation 5, for that part of the period of 365 days that falls 365 days or more before the last day of service, is adjusted for earnings, in accordance with paragraph (3).

(2) If the person's final pensionable earnings are determined, in accordance with paragraph (1), to be an amount for any period in relation to which any adjustment for earnings has been made under this regulation then the person's final pensionable earnings are to be taken for all purposes to be the amount so determined after that adjustment.

(3) The reference in paragraph (1) to adjusting for earnings the amount of pensionable earnings for part of a period is a reference to increasing it by the same amount as that by which an annual pension of an amount equal to those earnings would have been increased under the Pensions (Increase) Act 1971 on the day following the last day of relevant service if the pension—

- (a) was eligible to be so increased; and
- (b) had come into payment on the day following the last day of that period.