

---

STATUTORY INSTRUMENTS

---

**2014 No. 412**

**The Armed Forces and Reserve Forces  
(Compensation Scheme) (Amendment) Order 2014**

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Armed Forces and Reserve Forces (Compensation Scheme) (Amendment) Order 2014 and comes into force on 7th April 2014.

(2) In this Order “the principal Order” means the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011(1) and a reference to a numbered article is a reference to the article, Table or Schedule in the principal Order which bears that number.

**Amendment of the principal Order**

2.—(1) The principal Order is amended as follows.

(2) In article 12 (injury and death – other exclusions) the existing provision becomes 12—(1).

(3) After (g) insert—

“(2) Where a person is in receipt of any retired pay, pension, allowance or other continuing benefit awarded under the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006 in respect of a disablement or death, that disablement or death shall not be accepted as an injury or death caused (wholly or partly) by service for the purposes of this Order.”.

(4) In article 24A(3) for “£134.40” substitute “£138.05”.

(5) In article 24D(2) for “£55.25” substitute “£56.75”.

**Amendment of Schedule 3 (the tariff and supplementary awards) Part 1 Table 1**

3. In Schedule 3 (the tariff and supplementary awards) to the principal Order for Table 1 (Burns) in Part 1 substitute the Table set out in the Schedule to this Order.

**Amendment of Schedule 3 (the tariff and supplementary awards) Part 1 Table 2**

4. In Table 2 (injury, wounds and scarring)—

(a) in item 11 substitute “6” for “7”;

(b) in item 15 substitute “7” for “8”;

(c) in item 30 substitute “10” for “11”;

(d) in items 12, 22, and 31 substitute—

“High energy transfer gunshot wound, deeply penetrating missile fragmentation or other penetrating injury (or all or any combination of these)”

for—

- “High velocity gun shot wound, deep shrapnel fragmentation or other penetrating injury (or all or any combination of these)”;
- (e) in item 41 substitute—
- “High energy transfer gunshot wound, deeply penetrating missile fragmentation or other penetrating injury (or all or any combination of these)”
- for—
- “High velocity gun shot wound, deep shrapnel fragmentation or one or more puncture wounds (or all or any combination of these injuries)”;
- (f) after item 55 insert—
- “55B 13 Blunt trauma resulting in soft tissue injury to head and neck, torso or limb, which has required, or is expected to require, operative treatment.”;
- (g) in footnote a to the Table substitute “In items 55A and 65A, a descriptor” for “A descriptor”.

**Amendment of Schedule 3 (the tariff and supplementary awards) Part 1 Table 3**

5. In Table 3 (mental disorders) substitute—
- “(\*) Mental disorders must be diagnosed by a clinical psychologist or psychiatrist at consultant grade.”
- for—
- “(\*) Mental disorders must be diagnosed by a relevant accredited medical specialist.”.

**Amendment of Schedule 3 (the tariff and supplementary awards) Part 1 Table 4**

6. In Table 4 (physical disorders – illnesses and infectious diseases)—
- (a) after item 1 insert—
- “1A 6 Physical disorder causing permanent very severe functional limitation or restriction.”;
- (b) in item 3 substitute “8” for “9”;
- (c) after—
- “Mental and behavioural disorders and traumatic and accidental physical injuries are excluded.”

insert—

“(\*) Permanent functional limitation or restriction is very severe when the claimant is unable to undertake work appropriate to experience, qualifications and skills, following best practice treatment, and at best thereafter is able to undertake work only sporadically and in physically undemanding jobs.

(\*) Permanent functional limitation or restriction is severe where the claimant is unable to undertake work appropriate to experience, qualifications or skills at the time of onset of the disorder and over time able to work in only physically less demanding jobs.”.

**Amendment of Schedule 3 (the tariff and supplementary awards) Part 1 Table 6**

7. In Table 6 (neurological disorders, including spinal, head or brain injuries) after item 21 insert—

“21A 7 Brain injury, with substantial recovery of sensory and cognitive function, some useful recovery of upper and/or lower limb motor and sensory function, but with some residual motor deficit in upper or lower limbs or both.”.

**Amendment of Schedule 3 (the tariff and supplementary awards) Part 1 Table 8**

8. In Table 8 (fractures and dislocations) after Item 102 insert—

“(\*) In this table, shoulder includes acromio-clavicular and sterno-clavicular joints.”.

**Amendment of Schedule 3 (the tariff and supplementary awards) Part 1 Table 9**

9. In Table 9 (musculoskeletal disorders)—

(a) for Item 2A substitute—

“2A 9 Traumatic back injury resulting in vertebral or intervertebral disc damage and medically verified neurological signs, which has required, or is expected to require, operative treatment and which is expected to result in permanent significant functional limitation or restriction.”;

(b) in item 4 after “full thickness rupture, affecting one” insert “hip,”;

(c) for Item 25 substitute—

“25 13 Radiologically confirmed osteoarthritis of hip, knee, ankle, back, shoulder, elbow or wrist (caused by repetitive or attrition injury) causing permanent significant functional limitation or restriction.”;

(d) at the end of the Table substitute—

“(\*) References to back in this table include cervical, thoracic, lumbar and sacral vertebral segments or coccyx.”

for—

“(\*) References to back in this table include cervical, thoracic, lumbar or sacral vertebral segments.”.

23rd February 2014

*Anna Soubry*  
Parliamentary Under Secretary of State  
Ministry of Defence