
STATUTORY INSTRUMENTS

2016 No. 374

The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions (Amendment) Order 2016

PART 3

INSERTION OF PART 2A IN THE PRINCIPAL ORDER

Insertion of Part 2A (entitlement of recipients of diffuse mesothelioma lump sums)

4. After Part 2 of the principal Order insert—

“PART 2A

**ENTITLEMENT OF RECIPIENTS OF
DIFFUSE MESOTHELIOMA LUMP SUMS**

Entitlement of recipients of diffuse mesothelioma lump sums to other awards

21A.—(1) Schedule 1A (diffuse mesothelioma lump sums) has effect and applies in determining the entitlement of a member of the armed forces to a diffuse mesothelioma lump sum.

(2) Where a member of the armed forces is entitled to a diffuse mesothelioma lump sum by virtue of paragraph 2 of Schedule 1A—

- (a) any award in payment under Part 2 in respect of the disablement of the member must stop;
- (b) no award may be paid under Part 3 in respect of the death of the member, except for funeral expenses in accordance with article 32; and
- (c) in addition to Schedule 1A, only the provisions of the Order specified in paragraph (3) apply to the member.

(3) The provisions referred to in paragraph (2)(c) are—

- (a) Part 2A (entitlement of recipients of diffuse mesothelioma lump sums);
- (b) in Part 3 (awards in respect of death), article 32;
- (c) Part 4 (claims), except for article 35;
- (d) Part 5 (adjudication), except for article 44;
- (e) Part 6 (payment);
- (f) in Part 7 (reduction and cancellations of awards), articles 51, 52, 57 and 59;
- (g) Part 8 (miscellaneous provisions);
- (h) Schedule 3; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(i) Schedule 6.

(4) Paragraphs (2) and (3) apply on and after the date on which the Secretary of State pays the diffuse mesothelioma lump sum in accordance with the Order.”.