
STATUTORY INSTRUMENTS

2021 No. 142

PENSIONS

The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions (Amendment) Order 2021

Made - - - - - *10th February 2021*
Laid before Parliament *17th February 2021*
Coming into force - - - *12th April 2021*

At the Court at Windsor Castle, the 10th day of February 2021

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty considers it expedient to amend the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006(1).

ACCORDINGLY, Her Majesty, in exercise of the powers conferred upon Her by sections 12(1) and 24(3) of the Social Security (Miscellaneous Provisions) Act 1977(2) and of all other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation and commencement

1. This Order may be cited as the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions (Amendment) Order 2021 and comes into force on 12th April 2021.

Amendment of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006

2. The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 ("the principal Order") is amended as follows.

(1) S.I. 2006/606; relevant amending instruments are S.I. 2007/909, 2008/679, 2009/706, 2010/240, 2011/235, 2012/359, 2013/241, 2014/505, 2015/208, 2016/374, 2017/161, 2018/176, 2019/186 and 2020/150.
(2) 1977 c. 5; section 24(3) was amended by section 4 of, and paragraph 46 of Schedule 2 to, the Social Security (Consequential Provisions) Act 1992 (c. 6).

Amendment of Schedule 1 (disablement due to service in the armed forces)

3. In Schedule 1 to the principal Order—
- (a) for the table in Part 2 substitute the table in Schedule 1 to this Order;
 - (b) for tables 1 and 2 in Part 3 substitute tables 1 and 2 in Schedule 2 to this Order; and
 - (c) for the table in Part 4 substitute the table in Schedule 3 to this Order.

Amendment of Schedule 2 (death due to service in the armed forces)

4. In Schedule 2 to the principal Order—
- (a) for tables 1, 2, 3, 4, 5, 6 and 7 in Part 2 substitute tables 1, 2, 3, 4, 5, 6 and 7 in Schedule 4 to this Order; and
 - (b) for the table in Part 3 substitute the table in Schedule 5 to this Order.

Richard Tilbrook
Clerk of the Privy Council

Status: This is the original version (as it was originally made).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

SCHEDULE 1

Article 3(a)

TABLE TO BE SUBSTITUTED FOR THE TABLE IN PART 2 OF SCHEDULE 1 OF THE PRINCIPAL ORDER

“1. WEEKLY RATES OF PENSIONS FOR DISABLED MEMBERS OF THE ARMED FORCES IN GROUPS 10-15 OF PART 1 OF THIS SCHEDULE

2. YEARLY RATES OF RETIRED PAY AND PENSIONS FOR DISABLED MEMBERS OF THE ARMED FORCES IN GROUPS 1-9 OF PART 1 OF THIS SCHEDULE

<i>Degree of Disablement</i>	<i>Weekly Rate</i>	<i>Yearly Rate</i>
<i>Per Cent</i>	<i>£</i>	<i>£</i>
100	194.00	10,123
90	174.60	9,111
80	155.20	8,098
70	135.80	7,086
60	116.40	6,074
50	97.00	5,062
40	77.60	4,049
30	58.20	3,037
20	38.80	2,025”

SCHEDULE 2

Article 3(b)

TABLES TO BE SUBSTITUTED FOR TABLES 1 AND 2 IN PART 3 OF SCHEDULE 1 TO THE PRINCIPAL ORDER

“Table 1

GRATUITIES PAYABLE FOR SPECIFIED MINOR INJURIES

<i>Description of Injury</i>	<i>Assessments</i>	<i>Groups 1-15</i>
<i>For the loss of</i>	<i>Per Cent</i>	<i>£</i>
A. FINGERS		
Index finger—		
More than 2 phalanges including the loss of whole finger	14	9,227
More than 1 phalanx but not more than 2 phalanges	11	7,382

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<i>Description of Injury</i>	<i>Assessments</i>	<i>Groups 1-15</i>
1 phalanx or part thereof	9	6,150
Guillotine amputation of tip without loss of bone	5	3,680
Middle finger—		
More than 2 phalanges including the loss of whole finger	12	7,992
More than 1 phalanx but not more than 2 phalanges	9	6,150
1 phalanx or part thereof	7	4,918
Guillotine amputation of tip without loss of bone	4	3,072
Ring or little finger—		
More than 2 phalanges including the loss of whole finger	7	4,918
More than 1 phalanx but not more than 2 phalanges	6	4,311
1 phalanx or part thereof	5	3,680
Guillotine amputation of tip without loss of bone	2	1,843
B. TOES		
Great toe—		
Through metatarso-phalangeal joint	14	9,227
Part, with some loss of bone	3	2,453
1 other toe—		
Through metatarso-phalangeal joint	3	2,453
Part, with some loss of bone	1	1,236
2 toes, excluding great toe—		

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<i>Description of Injury</i>	<i>Assessments</i>	<i>Groups 1-15</i>
Through metatarso-phalangeal joint	5	3,680
Part, with some loss of bone	2	1,843
3 toes, excluding great toe—		
Through metatarso-phalangeal joint	6	4,311
Part, with some loss of bone	3	2,453
4 toes, excluding great toe—		
Through metatarso-phalangeal joint	9	6,150
Part, with some loss of bone	3	2,453

Table 2

GRATUITIES PAYABLE TO MEMBERS OF THE ARMED FORCES FOR DISABLEMENT ASSESSED AT LESS THAN 20 PER CENT NOT BEING A MINOR INJURY SPECIFIED IN TABLE 1

<i>Assessment of degree of disablement</i>			
Groups 1-15	1 to 5 per cent	6 to 14 per cent	15 to 19 per cent
	£3,085	£6,859	£11,997*

SCHEDULE 3

Article 3(c)

TABLE TO BE SUBSTITUTED FOR THE TABLE IN PART 4 OF SCHEDULE 1 TO THE PRINCIPAL ORDER

“Table

RATES OF ALLOWANCES PAYABLE IN RESPECT OF DISABLEMENT AND OR EARNINGS OR INCOME THRESHOLDS

<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1-9</i>	<i>Groups 10-15</i>
1. Constant attendance allowance—		
(a) under article 8—		

* Maximum amount payable.

(a) 1992 c. 4.

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

<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1-9</i>	<i>Groups 10-15</i>
(i) the part day rate of constant attendance allowance under paragraph (2)	£1,910 per annum	£36.60 per week
(ii) the full day rate of constant attendance allowance under paragraph (3)	£3,820 per annum	£73.20 per week
(iii) the intermediate rate of constant attendance allowance under paragraph (4)	£5,729 per annum	£109.80 per week
(iv) the exceptional rate of constant attendance allowance under paragraph (5)	£7,639 per annum	£146.40 per week
(b) under article 71(4)—		
(i) the rate under paragraph (4)(a)	£3,820 per annum*	£73.20 per week*
(ii) the rate under paragraph (4)(b)	£7,639 per annum*	£146.40 per week*
2. Exceptionally severe disablement allowance under article 9	£3,820 per annum	£73.20 per week
3. Severe disablement occupational allowance under article 10	£1,910 per annum	£36.60 per week
4. Allowance for wear and tear of clothing under article 11	£250 per annum	£250 per annum
5. Unemployability allowances—		
(a) Personal allowance under article 12(1)(a)	£6,256 per annum	£119.90 per week
(b) Additional allowances for dependants by way of—		
(i) increase of allowance in respect of a spouse, civil partner, adult dependant, dependant living as a spouse or dependant living as a civil partner under article 12(6)(a)	£3,478 per annum	£66.65 per week*
(ii) increase of allowance under article 12(6)(b)—		
(aa) in respect of the only, elder or eldest child of a member	£809 per annum	£15.50 per week
(bb) in respect of each other child of a member	£950 per annum	£18.20 per week

* Maximum amount payable.

(a) 1992 c. 4.

<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1-9</i>	<i>Groups 10-15</i>
(cc) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992 ^(a) , or under any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£950 per annum	£18.20 per week
For decisions made on or after 9th April 2001		
(c) the annual earnings figure for the purposes of article 12(4) is £7,436		
(d) the weekly income figure for the purposes of article 12(6)(a)(i) is £74.70		
6. Invalidity allowance under article 13—		
(a) If—		
(i) the relevant date fell before 5th July 1948;		
(ii) on the relevant date the member was under the age of 35; or		
(iii) on the relevant date the member was under the age of 40 and had not attained the age of 65, in the case of the member being a man, or 60, in the case of the member being a woman, before 6th April 1979 and the period in respect of which payment of the allowance is to relate begins on or after 6th April 1979	£1,237 per annum	£23.70 per week
(b) if head (a) does not apply and—		
(i) on the relevant date the member was under the age of 45; or		
(ii) on the relevant date the member was under the age of 50 and had not attained the age of 65, in the case of the member being a man, or 60, in the case of the member being a woman, before 6th April 1979 and the period in respect of which payment of the allowance is to relate begins on or after 6th April 1979	£809 per annum	£15.50 per week
(c) if heads (a) and (b) do not apply and on the relevant date the member was a man under the age of 60 or a woman under the age of 55	£404 per annum	£7.75 per week

* Maximum amount payable.

(a) 1992 c. 4.

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<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1-9</i>	<i>Groups 10-15</i>
7. Comforts allowance—		
(a) under article 14(1)(a)	£1,644 per annum	£31.50 per week
(b) under article 14(1)(b)	£822 per annum	£15.75 per week
8. Allowance for lowered standard of occupation under article 15	£3,817 per annum*	£73.16 per week*
9. Age allowance under article 16 where the degree of pensioned disablement is—		
(a) 40 to 50 per cent	£676 per annum	£12.95 per week
(b) over 50 per cent, but not exceeding 70 per cent	£1,044 per annum	£20 per week
(c) over 70 per cent, but not exceeding 90 per cent	£1,482 per annum	£28.40 per week
(d) over 90 per cent	£2,087 per annum	£40 per week
10. Part-time treatment allowance under article 19	£89.05 per day*	£89.05 per day*
11. Mobility supplement under article 20	£3,645 per annum	£69.85 per week*

* Maximum amount payable.

(a) 1992 c. 4.

SCHEDULE 4

Article 4(a)

TABLES TO BE SUBSTITUTED FOR TABLES 1, 2, 3, 4, 5, 6 AND 7 IN PART 2 OF SCHEDULE 2 TO THE PRINCIPAL ORDER

“Table 1

YEARLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES BEFORE 14 AUGUST 1914 OR AFTER 30 SEPTEMBER 1921

PENSIONS OTHER THAN PENSIONS AWARDED UNDER ARTICLE 11(1) OR (2) OF THE 1921 (OFFICERS) ORDER(3) OR ARTICLE 11(1) OF THE 1921 (WARRANT OFFICERS) ORDER(4), OF THE 1920 WARRANT(5) OR OF THE 1921 ORDER(6)

<i>Group</i>	<i>Yearly Rate</i>
(1)	(2)
	£
1	£8,863

(3) Order in Council of 9th March 1921.
(4) Order in Council of 9th March 1921.
(5) Royal Warrant of 2nd July 1920.
(6) Order of His Majesty of 25th September 1921.

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

<i>Group</i>	<i>Yearly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
2	£8,549
3	£8,346
4	£8,165
5	£8,089
6	£7,926
7	£7,883
8	£7,825
9	£7,797
10	£7,763
11	£7,717

Table 2

WEEKLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF RATINGS, SOLDIERS OR AIRMEN

<i>Group</i>	<i>Weekly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
12 – 17	147.15

Table 3

YEARLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES BEFORE 14 AUGUST 1914 OR AFTER 30 SEPTEMBER 1921

PENSIONS AWARDED UNDER ARTICLE 11(1) OR (2) OF THE 1921 (OFFICERS) ORDER OR ARTICLE 11(1) OF THE 1921 (WARRANT OFFICERS) ORDER, OF THE 1920 WARRANT OR OF THE 1921 ORDER

<i>Group</i>	<i>Yearly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
1	9,062
2	8,663
3	8,465

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<i>Group</i>	<i>Yearly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
4	8,262
5	8,108
6	7,945
7	7,899
8	7,825
9	7,797
10	7,763
11	7,717

Table 4

YEARLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES BEFORE 14 AUGUST 1914 OR AFTER 30 SEPTEMBER 1921

<i>Group</i>	<i>Yearly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
1	8,863
2	8,549
3	8,346
4	8,165
5	8,089
6	7,926
7	7,883
8	2,718
9	2,421
10	2,132
11	1,884

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Table 5

WEEKLY RATES OF PENSION FOR CHILDLESS SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS AGED UNDER 40 BEING SURVIVING SPOUSES OR SURVIVING CIVIL PARTNERS OF RATINGS, SOLDIERS OR AIRMEN

<i>Group</i>	<i>Weekly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
12 - 17	35.25

Table 6

YEARLY RATE OF SUPPLEMENTARY PENSION FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES AND WHOSE SERVICE TERMINATED ON OR BEFORE 31 MARCH 1973

<i>Group</i>	<i>Yearly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
1 - 11	5,136.60

Table 7

WEEKLY RATE OF SUPPLEMENTARY PENSION FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF RATINGS, SOLDIERS AND AIRMEN WHO WERE MEMBERS OF THE ARMED FORCES AND WHOSE SERVICE TERMINATED ON OR BEFORE 31 MARCH 1973

<i>Group</i>	<i>Weekly Rate</i>
<i>(1)</i>	<i>(2)</i>
	£
12 - 17	98.44"

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

SCHEDULE 5

Article 4(b)

TABLE TO BE SUBSTITUTED FOR THE TABLE IN
PART 3 OF SCHEDULE 2 TO THE PRINCIPAL ORDER

“Table

**RATES OF PENSIONS, OTHER THAN SURVIVING
SPOUSES’ AND SURVIVING CIVIL PARTNERS’ PENSIONS
AND ALLOWANCES PAYABLE IN RESPECT OF DEATH**

<i>Description of Pension or Allowance</i>	<i>Rates</i>	
	<i>Groups 1-11</i>	<i>Groups 12-17</i>
1. Pension under article 24 to dependant who lived as a spouse or dependant who lived as a civil partner	£7,556 per annum*	per £144.80 per week*
2. Rent allowance under article 25	£2,891 per annum*	per £55.40 per week*
3. Elderly persons allowance under article 26—		
(a) if aged 65 or over but under 70	£877 per annum	£16.80 per week
(b) if aged 70 or over but under 80	£1,683 per annum	£32.25 per week
(c) if aged 80 or over	£2,497 per annum	£47.85 per week
4. Allowances in respect of children—		
(a) under article 28(2)(a)—		
(i) in respect of the only, elder or eldest child of a member	£1,205 per annum	£23.10 per week
(ii) in respect of each other child of a member	£1,341 per annum	£25.70 per week
(iii) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992, or any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£1,341 per annum	£25.70 per week
(b) under article 28(2)(b)—		
(i) in respect of the only, elder or eldest child of a member	£1,380 per annum	£26.45 per week
(ii) in respect of each other child of a member	£1,508 per annum	£28.90 per week
(iii) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992, or any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£1,508 per annum	£28.90 per week

* Maximum amount payable

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Description of Pension or Allowance	Rates	
	Groups 1-11	Groups 12-17
5. Pension under article 29 to a child of a member who has no parent living and has not attained the child's age limit—		
(a) in respect of the only, elder or eldest child of a member	£1,380 per annum	£26.45 per week
(b) in respect of each other child of a member	£1,508 per annum	£28.90 per week
(c) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992, or any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£1,508 per annum	£28.90 per week
6. Allowance under article 30(2)(b) to or in respect of a child who has attained the child's age limit	£5,902 per annum*	per £113.10 per week**

* Maximum amount payable

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (“the principal Order”), which makes provision for pensions and other awards in respect of disablement or death due to service before 6th April 2005 in the naval, military and air forces. The principal Order contains the scheme which provides the pensions and other awards.

The Tables in Schedules 1 to 5 to this Order replace tables in Schedule 1 and 2 to the principal Order, in order to adjust the rates prescribed for retired pay, pensions, gratuities and allowances in respect of disablement or death due to service in the armed forces.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.