
STATUTORY INSTRUMENTS

2022 No. 1160

The Armed Forces (Covenant) Regulations 2022

Relevant family members

3.—(1) A person is prescribed as a relevant family member for the purposes of section 343B of the Act where, in relation to a service member or former service member (A), the person is any of the following—

- (a) A's spouse or civil partner;
- (b) a child of A or of A's spouse or civil partner;
- (c) a relative of A or of A's spouse or civil partner where the relative is one of the following—
 - (i) a member of A's household;
 - (ii) wholly or mainly financially dependent on A or A's spouse or civil partner; or
 - (iii) someone for whom A or A's spouse or civil partner has assumed regular and substantial caring responsibilities;
- (d) where A is deceased, anyone who was a relevant family member of A under subparagraphs (a) to (c) immediately before A's death.

(2) In this regulation—

“child” means a person under the age of 18 years;

“relative” in relation to A or A's spouse or civil partner, means—

- (a) a parent, step-parent, son, daughter, stepson, stepdaughter, grandparent, step-grandparent, great-grandparent, step-great-grandparent, grandchild, step-grandchild, great-grandchild or step-great-grandchild of A or of A's spouse or civil partner;
- (b) the brother, sister, uncle, great-uncle, aunt, great-aunt, niece, great-niece, nephew, great-nephew or first cousin (whether of the full blood or of the half blood or by marriage or civil partnership) of A or of A's spouse or civil partner; or
- (c) any person who (no longer being a child) was the responsibility of A or A's spouse or civil partner when they were a child.

(3) For the purposes of this regulation, references to A's spouse or civil partner includes—

- (a) a person whose relationship with A is akin to a relationship between spouses or civil partners;
- (b) a former spouse or civil partner or a person whose relationship with A was formerly akin to a relationship between spouses or civil partners.

(4) For the purposes of this regulation, a person is a child of a person (P) if—

- (a) P is the parent of the person; or
- (b) the person is the responsibility of P.

(5) For the purposes of paragraph (1)(c), references to a person being a member of A's household includes references to a person who would be living in the same household as A but for the fact that A is temporarily living at another address for service reasons.

Status: This is the original version (as it was originally made).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

(6) For the purposes of paragraphs (2)(c) and (4)(b), a child is the responsibility of A or A's spouse or civil partner where—

- (a) A or A's spouse or civil partner has parental responsibility for the child within the meaning of section 3 of the Children Act 1989⁽¹⁾; or
- (b) the child is someone who otherwise meets the criteria in paragraphs (1)(c)(ii) and (iii).

⁽¹⁾ 1989 c. 41.