

2023 No. 323

PENSIONS

**The Armed Forces and Reserve Forces (Compensation Scheme)
(Amendment) Order 2023**

<i>Made</i> - - - -	<i>13th March 2023</i>
<i>Laid before Parliament</i>	<i>16th March 2023</i>
<i>Coming into force</i> - -	<i>10th April 2023</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004(a).

Citation and commencement

1. This Order may be cited as the Armed Forces and Reserve Forces (Compensation Scheme) (Amendment) Order 2023 and comes into force on 10th April 2023.

Extent

2. This Order extends to England and Wales, Scotland and Northern Ireland.

Amendment of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011

3. The Armed Forces and Reserve Forces (Compensation Scheme) Order 2011(b) is amended in accordance with articles 4 to 6.

Amendment of article 24A

4. In article 24A (award of armed forces independence payment), in paragraph (3), for “£156.90” substitute “£172.75”.

Amendment of article 24D

5. In article 24D (payment of armed forces independence payment in respect of Motability), in paragraph (2), for “£64.50” substitute “£71.00”.

Amendment of Schedule 3

6. —(1) Schedule 3 (the tariff and supplementary awards), Part 1 (descriptors, tariff levels and amounts – “the tariff”) is amended as follows.

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

(a) 2004 c. 32.

(b) S.I. 2011/517; relevant amending instruments are S.I. 2013/436, 2017/247 and 2022/267.

(a) after item 53, insert—

“53A	13	Damage to front tooth which has required, or is expected to require, extraction and operative interval treatment to restore aesthetics and function.”
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(3) In Table 9 (musculoskeletal disorders)—

(a) after item 24, insert—

“24A	13	Back sprain or strain, with one or more intervertebral disc prolapses which has required, or is expected to require, operative treatment and which has caused, or is expected to cause, significant functional limitation or restriction beyond 13 weeks.”
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(b) after item 34, insert—

“34A	14	Overuse injury of the lower limb which has not required operative treatment.”
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13th March 2023

Andrew Murrison
Parliamentary Under Secretary of State
Ministry of Defence

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 (S.I. 2011/517) (“the Principal Order”), which provides for benefits to be payable to, or in respect of a person by reason of injury, illness or death caused wholly or partly, by service in the regular or reserve armed forces.

Article 4 amends article 24A of the Principal Order to increase the amount of the allowance known as “the armed forces independent payment” which is designed to provide financial support to cover extra costs that a recipient of that benefit may incur as a result of a relevant injury. That amount is increased to £172.75 per week.

Article 5 amends article 24D of the Principal Order to increase the amount that may be paid in settlement of liabilities due under an agreement between a claimant and Motability in respect of the hire or hire purchase of a vehicle. That amount is increased to £71.00 per week.

Article 6 amends Schedule 3 to the Principal Order by inserting new descriptors into Tables 2 and 9, to make three temporary awards permanent.

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.

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