
STATUTORY INSTRUMENTS

2023 No. 998

**The Armed Forces Pensions
(Remediable Service) Regulations 2023**

Part 10

**AMENDMENT OF THE ARMED FORCES
REDUNDANCY SCHEME ORDER 2020**

Amendment of the Armed Forces Redundancy Scheme Order 2020

39. The Armed Forces Redundancy Scheme Order 2020 (in this Part, “the AFRS 2020 Order”) is amended as follows.

Schedule: Armed Forces Redundancy Scheme 2020

40.—(1) The Schedule to the AFRS 2020 Order is amended in accordance with this regulation.

(2) In paragraph 1 (general interpretation), insert in the appropriate places the following—

““PSPJOA 2022” means the Public Service Pensions and Judicial Offices Act 2022;

“Chapter 1 legacy scheme” means a legacy pension Scheme, within the meaning of Chapter 1 of PSPJOA 2022, for the armed forces and reserve forces under which service in the—

(a) regular forces, or

(b) reserve forces under sections 24 or 25 of the Reserve Forces Act 1996,
is pensionable;

“remediable service” has the meaning given in section 1 of PSPJOA 2022, and refers to service in an employment or office that is pensionable service under a Chapter 1 legacy scheme, whether or not by virtue of section 2(1) of PSPJOA 2022;

“remedy member” means a member with remediable service;

“section 6 election” means an election under section 6 of PSPJOA 2022 for Scheme benefits made—

(a) under the rules of a Chapter 1 legacy scheme, and

(b) by a remedy member.”.

(3) In paragraph 5 (meaning of “redundancy qualifying service”), after sub-paragraph (1), insert—

“(1A) For the purposes of this Schedule, where a remedy member of a Chapter 1 legacy scheme makes a section 6 election under the rules of the relevant legacy pension Scheme, their remediable service in that Scheme—

(a) is treated as though it had been pensionable service in the AFPS 2015, and

(b) is not treated as if it had been pensionable service in the relevant Chapter 1 legacy pension Scheme.”.

(4) In paragraph 16 (interpretation of Part 3)—

- (a) the existing wording stands as sub-paragraph (1);
- (b) after sub-paragraph (1), insert—

“(2) For the purposes of this Part, where a remedy member with remediable service under the AFPS 1975 makes a section 6 election under Schedule 4 (remediable service) to the AFPS 1975, their AFRS 2010 redundancy reckonable service does not include any period of remediable service which would otherwise have counted as such redundancy reckonable service.”

(5) In paragraph 24 (interpretation of Part 4)—

- (a) the existing wording stands as sub-paragraph (1)
- (b) after sub-paragraph (1), insert—

“(2) For the purposes of this Part, where a remedy member with remediable service under the AFPS 2005 makes a section 6 election under Schedule 3 (remediable service) to the AFPS 2005, their AFRS 2006 relevant service does not include any period of remediable service which would otherwise have counted as such relevant service.”