
STATUTORY INSTRUMENTS

2008 No. 39

**The Armed Forces and Reserve Forces
(Compensation Scheme) (Amendment) Order 2008**

Amendment of article 15 (amount of lump sum)

7.—(1) After article 15(1) insert—

“(1A) Where the conditions in article 15A apply, that article shall apply in place of paragraphs (2) to (7).”.

(2) In article 15(4)(c) after “shall” insert “except where paragraph (6B) applies”.

(3) After article 15(6) insert—

“(6A) Paragraph 6B applies where—

- (a) more than one injury is sustained in one incident;
- (b) the cause of the injuries occurred on or after the coming into force of this Order;
- (c) a further claim for injuries is made pursuant to paragraph (4) and the Secretary of State determines that the amount of lump sum awarded in respect of the first claim shall be increased; and
- (d) the relevant percentage for the purpose of calculating the amount of a guaranteed income payment for one or more such injuries is recalculated pursuant to article 16(4) and is determined as 100 per cent.

(6B) The first claim shall be recalculated pursuant to article 15A and the further claim determined pursuant to that article, save that account shall be taken of the amount of benefit paid in respect of the first claim and only the difference between the earlier award and the later award shall be paid.”.

(4) In article 15(7), after “Paragraphs (4), (5) and (6)” insert “(6A) and (6B)”.