
STATUTORY INSTRUMENTS

2010 No. 832

**The Armed Forces (Redundancy, Resettlement and
Gratuity Earnings Schemes) (No. 2) Order 2010**

PART 3

THE ARMED FORCES GRATUITY EARNINGS SCHEME 2010

Maternity, adoption and paternity leave

21.—(1) When calculating service for the payment of a gratuity under article 17(2)—

- (a) any period of paid ordinary maternity leave, ordinary adoption leave or paternity leave whether at the statutory minimum, reduced or full pay rate, will count as both qualifying and reckonable service;
- (b) if, more than six months before expiry of the commitment period and as a result of pregnancy or the adoption of a child, a person decides to retire or fails to complete the commission after pre-natal leave, ordinary maternity leave, additional maternity leave, ordinary adoption leave or additional adoption leave, the gratuity payment will be calculated pro rata.

(2) In paragraph (1)(b), “pre-natal leave” means unpaid leave that is taken prior to the birth of a child.