
STATUTORY INSTRUMENTS

2011 No. 517

**The Armed Forces and Reserve Forces
(Compensation Scheme) Order 2011**

PART 8

PAYMENT

Suspension – appeal from a decision of an appropriate tribunal

66.—(1) Where paragraph (2) applies, and subject to paragraph (3), the Secretary of State may suspend payment of benefit in whole or in part.

(2) This paragraph applies where the Secretary of State is considering making an application for leave to appeal against the decision of an appropriate tribunal.

(3) A direction that payment of benefit is to be suspended must be—

(a) in writing; and

(b) given or sent to the claimant within the relevant period.

(4) If the Secretary of State does not make an application for leave to appeal within the relevant period the suspension is to cease.

(5) Where a direction has been given under paragraph (3) and an application for leave to [F¹ appeal is made] the suspension may continue where—

(a) leave to appeal is granted, until any subsequent appeal is determined;

(b) an appropriate tribunal reviews its decision until that review has been determined; or

(c) an application for leave to appeal is refused, if the Secretary of State makes a further application for leave to appeal in accordance with paragraph (6).

(6) The application referred to in paragraph (5)(c) must be made to the Upper Tribunal or a Commissioner within a period of 1 month beginning with the date on which notice in writing of the decision of the appropriate tribunal refusing leave to appeal is received.

(7) Where an application is made in accordance with paragraph (6) the suspension may continue until that application and any subsequent appeal is determined.

(8) Where the appeal is determined and the case remitted for rehearing and determination by an appropriate tribunal, the appeal is not determined for the purposes of this article until the matter remitted for rehearing has been determined by the appropriate tribunal.

(9) In this article “relevant period” means the period of 6 weeks beginning with the date on which notice in writing of the decision in question and of the reasons for it is received by the Secretary of State.

Changes to legislation: There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2011, Section 66. (See end of Document for details)

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Textual Amendments

- F1** Words in art. 66(5) substituted (21.7.2012) by [The Armed Forces and Reserve Forces \(Compensation Scheme\) \(Amendment\) Order 2012 \(S.I. 2012/1573\)](#), arts. 1(1), **6** (with art. 8)

Changes to legislation:

There are currently no known outstanding effects for the The Armed Forces and Reserve Forces (Compensation Scheme) Order 2011, Section 66.