
STATUTORY INSTRUMENTS

2014 No. 2328

**The Armed Forces Early Departure
Payments Scheme Regulations 2014**

PART 3

Resettlement grants

Entitlement to a resettlement grant

16.—(1) A person who ceases to be in service as a member of the regular forces is entitled to a lump sum payment (a resettlement grant) if the person—

- (a) has at least 12 years' qualifying service in the regular forces,
- (b) is not entitled to payments under regulations 9 (entitlement to early departure payments), 19 (lump sum awards: incapacity for armed forces service) or the immediate payment of a pension under—
 - (i) regulation 43 (retirement on or after normal pension age - active members) of the AFPS 14, or
 - (ii) regulation 51 (entitlement to ill-health pension: active members with permanent serious ill-health) of the AFPS 14, or
 - (iii) regulation 52 (entitlement to ill-health pension: active members with significant impairment of capacity for gainful employment) of the AFPS 14, or
- (c) either—
 - (i) has not previously received a payment under this regulation or the corresponding provisions, or
 - (ii) is not an active member of the AFPS 75 or the AFPS 05.

(2) In this regulation “the corresponding provisions” means—

- (a) article 14 of the Armed Forces Early Departure Payments Order 2005(1), or
- (b) paragraphs 13 to 18 of Schedule XIII to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Provisions) Order 2004, or
- (c) regulations 67 to 70 or 167A and 167B of the Army Pensions Warrant 1977, or
- (d) regulation 3063 of the Queen’s Regulations for the Royal Air Force; and
- (e) any earlier or later provisions corresponding to those mentioned in sub-paragraph (a), (b), (c) or (d).

Amount of resettlement grant

17.—(1) The amount of the resettlement grant a person receives under regulation 16 (entitlement to a resettlement grant) is to be determined by the scheme manager and published.

(2) The resettlement grant is payable before the expiry of the period of 3 months beginning with the day on which the person ceases to be a member of the regular forces.

Effect of resettlement grant on rejoining the regular forces or joining the reserve forces

18.—(1) This regulation applies where a person who is in receipt of a resettlement grant under regulation 16 (entitlement to a resettlement grant) rejoins the regular forces, joins the reserve forces or rejoins the reserve forces.

(2) Subject to paragraph (3) the person is entitled to retain the resettlement grant.

(3) Where the person rejoins the regular forces or becomes a full time member of the reserve forces within 31 days of ceasing to be a member of the regular forces, the person must repay the resettlement grant made to them under regulation 16.

(4) At the cessation of a period of new service in the regular forces—

- (a) a person who has retained their resettlement grant payment in accordance with paragraph (2) is not entitled to a further resettlement grant under regulation 16;
- (b) a person who has repaid their resettlement grant payment in accordance with paragraph (3) is entitled to a resettlement grant payment provided that the person continues to meet the criteria under regulation 16.

(5) At the cessation of a period of new service as a full time member of the reserve forces, a person who has repaid their resettlement grant payment in accordance with paragraph (3) is not entitled to a resettlement grant payment under regulation 16.