
STATUTORY INSTRUMENTS

2015 No. 568

The Armed Forces (Transitional Provisions) Pensions Regulations 2015

PART 2

Amendments to the Armed Forces Pension Scheme 1975

Amendment of the Armed Forces Pensions Scheme 1975

3. The Armed Forces Pension Scheme 1975(1) (“the AFPS 1975”) is amended according to the provisions in this Part.

Amendment of Rule A.1 in Schedule 1 to the AFPS 1975

4. In the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010(2) (the “Naval Pensions Order”), the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Warrant 2010(3) (the “Army Pensions Warrant”) and the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010(4)(the “Air Force Pensions Order”), rule A.1 in Schedule 1 (General interpretation) is amended by inserting at the appropriate places—

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- (1) The rules of the Armed Forces Pension Scheme 1975 (the “AFPS 1975”) are set out in three instruments, one for each of the three armed services, the references to which are set out in footnotes (b), (c) and (d) to regulation 4. In each instrument, Schedule 1 sets out the AFPS 1975 rules applying to members of the armed service in question. Schedule 1 is substantially the same in the case of each instrument, except for the fact that in the case of the Army Pensions Warrant, there is a Part K at the end of the Schedule, which applies to transferees from the Gurkha Pension Scheme. (There are no Gurkha Pension Scheme transferees in the Navy or the Royal Air Force).
 - (2) The rules of the AFPS 1975 in relation to members and former members of the Navy and Royal Marines were restated in Schedule 1 to the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010 made on 10 February 2010. That Schedule was then revoked and replaced by a revised restatement set out at Schedule 1 to the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2010, which came into force on 3 January 2011. Schedules 1 and 2 were then amended by the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2012 and Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2015. Amendments were made to Part E of the Scheme by the Marriage (Same Sex Couples) Act 2013 (Consequential Provisions) Order 2014 (S.I. 2014/107) and the Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), and the Marriage (Same Sex Couples) Act 2013 and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3061).
 - (3) The rules of the AFPS 1975 in relation to members and former members of the regular Army were restated in Schedule 1 to the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Warrant 2010 made on 10 February 2010. That Schedule was then revoked and replaced by a revised restatement set out at Schedule 1 to the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Warrant 2010, which came into force on 3 January 2011. Schedules 1 and 2 were then amended by the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Warrant 2012 and Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Warrant 2015. Amendments were also made to Part E of the Scheme by same sex marriage S.I.s as set out at footnote (b).
 - (4) The rules of the AFPS 1975 in relation to members and former members of the Royal Air Force were restated in Schedule 1 to the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010 made on 10 February 2010. That Schedule was then revoked and replaced by a revised restatement set out at Schedule 1 to the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2010, which came into force on 3 January 2011. Schedules 1 and 2 were then amended by the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2012 and Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits

- “(a) “AFPS 2015” means the scheme established by the Armed Forces Pension Regulations 2014⁽⁵⁾”; and
- “(b) “transition date” has the same meaning as specified in paragraph 1 of Schedule 3 to this Instrument;”.

Amendment of Rule H.1 in Schedule 1 to the AFPS 1975

5. In the Naval Pensions Order, the Army Pensions Warrant and the Air Force Pensions Order, rule H.1 in Schedule 1 (Further pensionable service: general rule) is amended by inserting into paragraph (1) after “further pensionable service” the following: “including service by virtue of which the person is eligible for membership of the Armed Forces Pension Scheme 2015⁽⁶⁾ (“AFPS 2015”)”.

Amendment of Rule H.3 in Schedule 1 to the AFPS 1975

6. In the Naval Pensions Order, the Army Pensions Warrant and the Air Force Pensions Order, rule H.3 in Schedule 1 (Service on lower pay) is amended by—

- (a) inserting into sub-paragraph (1)(a) after “further pensionable service” the following: “including service by virtue of which the person is eligible for membership of the AFPS 2015”; and
- (b) in paragraph (3), inserting after “A is the annual amount of the pension” the following: “which includes, in the case of an AFPS 2015 pensioner, their AFPS 2015 pension”.

Amendment of Rule H.4 in Schedule 1 to the AFPS 1975

7. In the Naval Pensions Order, the Army Pensions Warrant and the Air Force Pensions Order, rule H.4 in Schedule 1 (Reserve Service) is amended by—

- (a) inserting into paragraph (1) after “in reserve service” the following: “including service by virtue of which the person is eligible for membership of the AFPS 2015”; and
- (b) in paragraph (3), inserting after “A is the annual amount of the pension” the following: “which includes, in the case of an AFPS 2015 pensioner, their AFPS 2015 pension”.

Insertion of new Schedules

8. The Naval Pensions Order, the Army Pensions Warrant and the Air Force Pensions Order are each amended by inserting, after Schedule 2 in each case, the new Schedule 3 contained in Schedule 1 to this Instrument, which has effect.

Scheme) (Amendment) Order 2015. Amendments were also made to Part E of the Scheme by same sex marriage S.I.s as set out at footnote (b).

(5) [S.I. 2014/2336](#).

(6) The AFPS 2015 is the pension scheme established by the Armed Forces Pension Regulations 2014 ([S.I. 2014/2336](#)).