
STATUTORY INSTRUMENTS

2018 No. 293

**The Armed Forces and Reserve Forces
(Compensation Scheme) (Amendment) Order 2018**

Amendment of Schedule 3

10.—(1) Schedule 3 (the tariff and supplementary awards), Part 1 (descriptors, tariff levels and amounts – “the tariff”) is amended as follows.

(2) In Table 6 (neurological disorders, including spinal, head or brain injuries)⁽¹⁾—

(a) for the entry in column (b) (description of injury and its effects (“descriptor”)) in respect of—

(i) item 5, after “major” insert “and permanent”;

(ii) item 11, substitute—

“Brain injury where the claimant has some permanent limitation of response to the environment together with substantial motor and sensory problems and one or more substantial cognitive, personality or behavioural problems, and that injury requires some professional nursing care and is likely to require considerable regular support from other health professionals.”;

(iii) item 17, substitute—

“Brain injury where the claimant has moderate and permanent motor or sensory problems and one or more permanent substantial cognitive, personality or behavioural problems, and that injury requires regular help or full-time supervision from others with activities of everyday living but does not require professional nursing care or regular help from other health professionals.”;

(iv) item 21A, substitute—

“Brain injury from which the claimant has made a substantial recovery, has no major cognitive personality or behavioural problems, but has substantial functionally disabling motor deficit in upper and or lower limbs, but is able to undertake some form of regular employment^(a).”;

(v) item 22, substitute—

“Brain injury from which the claimant has made a substantial recovery, has no major motor or sensory deficits, but does have one or more of a residual functionally disabling—

(i) cognitive deficit,

(ii) behavioural change, or

(iii) change in personality,

but is able to undertake some form of regular employment^(a).”;

(vi) item 26, substitute—

⁽¹⁾ Table 6 has been amended by [S.I. 2011/2552](#), [2014/412](#) and [2017/247](#).

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“Mild traumatic brain injury which has caused or is expected to cause either or both functionally limiting or restricting central nervous system symptoms or functionally limiting or restricting audiovestibular symptoms of peripheral labyrinthine origin^(b) (including permanent sensorineural hearing loss of less than 50 dB averaged over 1, 2 and 3 kHz) for more than 52 weeks.”;

(vii) item 34, substitute—

“Mild traumatic brain injury or head injury which has caused or is expected to cause either or both functionally limiting or restricting central nervous system symptoms or functionally limiting or restricting audiovestibular symptoms of peripheral labyrinthine origin^(b) for more than 6 weeks with substantial recovery thereafter.”;

(b) for table note (a), substitute—

“(a) The claimant is unable to undertake work appropriate to experience, qualifications and skills prior to the brain injury, but able to work regularly in a less demanding job.”;

(c) for table note (b), substitute—

“(b) Labyrinthine causes of audiovestibular symptoms must be excluded by detailed specialist audiovestibular assessment.”.

(3) In Table 8 (fractures and dislocations) for the entry in column (b) (description of injury and its effects (“descriptor”)) in respect of item 26, substitute—

“Fracture or dislocation of great toe or associated structures of one foot which has caused, or is expected to cause, significant functional limitation or restriction beyond 26 weeks.”.

(4) For Table 10 (tariff amounts), substitute—

“Table 10

Tariff amounts

<i>Column (a)</i>	<i>Column (b)</i>
<i>Level</i>	<i>Amount</i>
1	£650,000
2	£484,100
3	£391,400
4	£298,700
5	£180,250
6	£144,200
7	£92,700
8	£61,800
9	£41,200
10	£27,810
11	£15,965
12	£10,300

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<i>Column (a)</i>	<i>Column (b)</i>
<i>Level</i>	<i>Amount</i>
13	£6,180
14	£3,090
15	£1,236''