

2024 No. 191

PENSIONS

The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions (Amendment) Order 2024

Made - - - - 21st February 2024

Laid before Parliament 28th February 2024

Coming into force - - 8th April 2024

At the Court at Buckingham Palace, the 21st day of February 2024

Present,

The King's Most Excellent Majesty in Council

His Majesty considers it expedient to amend the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006(a).

ACCORDINGLY, His Majesty, in exercise of the powers conferred upon Him by sections 12(1) and 24(3) of the Social Security (Miscellaneous Provisions) Act 1977(b) and of all other powers enabling Him to do so, is pleased, by and with the advice of His Privy Council, to order as follows:

Citation, commencement and extent

1. This Order—

- (a) may be cited as the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions (Amendment) Order 2024;
- (b) comes into force on 8th April 2024;
- (c) extends to England and Wales, Scotland and Northern Ireland.

Amendment of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006

2. The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (“the principal Order”) is amended as follows.

(a) S.I. 2006/06; relevant amending instruments are S.I. 2008/679, 2009/706, 2013/388, 2013/630, 2023/163 and S.R. 2016/228 and 2016/236.
(b) 1977 c. 5; section 24(3) was amended by section 4 of, and paragraph 46 of Schedule 2 to, the Social Security (Consequential Provisions) Act 1992 (c. 6).

Amendment to article 56 (abatement of awards in respect of social security benefits)

3. In article 56 (abatement of awards in respect of social security benefits) of the principal Order, in paragraph (3), after sub-paragraph (j) insert—

“(k) Part 2 of the Social Security (Scotland) Act 2018(a).”.

Amendment to Schedule 1 (disablement due to service in the armed forces)

4. In Schedule 1 to the principal Order—

- (a) for the table in Part 2 substitute the table in Schedule 1 to this Order;
- (b) for tables 1 and 2 in Part 3 substitute tables 1 and 2 in Schedule 2 to this Order; and
- (c) for the table in Part 4 substitute the table in Schedule 3 to this Order.

Amendment to Schedule 2 (death due to service in the armed forces)

5. In Schedule 2 to the principal Order—

- (a) for tables 1, 2, 3, 4, 5, 6 and 7 in Part 2 substitute tables 1, 2, 3, 4, 5, 6 and 7 in Schedule 4 to this Order; and
- (b) for the table in Part 3 substitute the table in Schedule 5 to this Order.

Richard Tilbrook
Clerk of the Privy Council

SCHEDULE 1

Article 4(a)

**TABLE TO BE SUBSTITUTED FOR THE TABLE IN PART 2 OF
SCHEDULE 1 TO THE PRINCIPAL ORDER**

“1. WEEKLY RATES OF PENSIONS FOR DISABLED MEMBERS OF THE ARMED FORCES IN GROUPS 10-15 OF PART 1 OF THIS SCHEDULE

2. YEARLY RATES OF RETIRED PAY AND PENSIONS FOR DISABLED MEMBERS OF THE ARMED FORCES IN GROUPS 1-9 OF PART 1 OF THIS SCHEDULE

<i>Degree of Disablement</i> <i>Per Cent</i>	<i>Weekly Rate</i> £	<i>Yearly Rate</i> £
100	235.00	12,262
90	211.50	11,036
80	188.00	9,810
70	164.50	8,583
60	141.00	7,357
50	117.50	6,131
40	94.00	4,905
30	70.50	3,679
20	47.00	2,452”

(a) 2018 asp 9.

SCHEDULE 2

Article 4(b)

TABLES TO BE SUBSTITUTED FOR TABLES 1 AND 2 IN PART 3 OF SCHEDULE 1 TO THE PRINCIPAL ORDER

“Table 1

GRATUITIES PAYABLE FOR SPECIFIED MINOR INJURIES

<i>Description of Injury</i>	<i>Assessments</i>	<i>Groups 1-15</i>
<i>For the loss of</i>	<i>Per Cent</i>	<i>£</i>
A. FINGERS		
Index finger—		
More than 2 phalanges including the loss of whole finger	14	11,176
More than 1 phalanx but not more than 2 phalanges	11	8,941
1 phalanx or part thereof	9	7,449
Guillotine amputation of tip without loss of bone	5	4,457
Middle finger—		
More than 2 phalanges including the loss of whole finger	12	9,680
More than 1 phalanx but not more than 2 phalanges	9	7,449
1 phalanx or part thereof	7	5,956
Guillotine amputation of tip without loss of bone	4	3,721
Ring or little finger—		
More than 2 phalanges including the loss of whole finger	7	5,956
More than 1 phalanx but not more than 2 phalanges	6	5,222
1 phalanx or part thereof	5	4,457
Guillotine amputation of tip without loss of bone	2	2,232
B. TOES		
Great toe—		
Through metatarso-phalangeal joint	14	11,176
Part, with some loss	3	2,971

of bone		
1 other toe—		
Through metatarso-phalangeal joint	3	2,971
Part, with some loss of bone	1	1,497
2 toes, excluding great toe—		
Through metatarso-phalangeal joint	5	4,457
Part, with some loss of bone	2	2,232
3 toes, excluding great toe—		
Through metatarso-phalangeal joint	6	5,222
Part, with some loss of bone	3	2,971
4 toes, excluding great toe—		
Through metatarso-phalangeal joint	9	7,449
Part, with some loss of bone	3	2,971

Table 2

GRATUITIES PAYABLE TO MEMBERS OF THE ARMED FORCES FOR DISABLEMENT ASSESSED AT LESS THAN 20 PER CENT NOT BEING A MINOR INJURY SPECIFIED IN TABLE 1

<i>Assessment of degree of disablement</i>			
Groups 1-15	1 to 5 per cent	6 to 14 per cent	15 to 19 per cent
	£3,737	£8,308	£14,530*

SCHEDULE 3

Article 4(c)

TABLE TO BE SUBSTITUTED FOR THE TABLE IN PART 4 OF SCHEDULE 1 TO THE PRINCIPAL ORDER

“Table

RATES OF ALLOWANCES PAYABLE IN RESPECT OF DISABLEMENT AND EARNINGS OR INCOME THRESHOLDS

<i>Description of Allowance</i>	<i>Rate</i>	
	<i>Groups 1-9</i>	<i>Groups 10-15</i>
1. Constant attendance allowance—		
(a) under article 8—		
(i) the part day rate of constant attendance allowance under paragraph (2)	£2,314 per annum	£44.35 per week
(ii) the full day rate of constant attendance allowance under paragraph (3)	£4,628 per annum	£88.70 per week
(iii) the intermediate rate of constant	£6,943 per annum	£133.05 per

	attendance allowance under paragraph (4)		week
	(iv) the exceptional rate of constant attendance allowance under paragraph (5)	£9,257 per annum	£177.40 per week
(b)	under article 71(4)—		
	(i) the rate under paragraph (4)(a)	£4,628 per annum ^(*)	£88.70 per week ^(*)
	(ii) the rate under paragraph (4)(b)	£9,257 per annum ^(*)	£177.40 per week ^(*)
2.	Exceptionally severe disablement allowance under article 9	£4,628 per annum	£88.70 per week
3.	Severe disablement occupational allowance under article 10	£2,314 per annum	£44.35 per week
4.	Allowance for wear and tear of clothing under article 11	£303 per annum	£303 per annum
5.	Unemployability allowances—		
(a)	Personal allowance under article 12(1)(a)	£7,577 per annum	£145.20 per week
(b)	Additional allowances for dependants by way of—		
	(i) increase of allowance in respect of a spouse, civil partner, adult dependant, dependant living as a spouse or dependant living as a civil partner under article 12(6)(a)	£4,211 per annum ^(*)	£80.70 per week ^(*)
	(ii) increase of allowance under article 12(6)(b)—		
	(aa) in respect of the only, elder or eldest child of a member	£981 per annum	£18.80 per week
	(bb) in respect of each other child of a member	£1,151 per annum	£22.05 per week
	(cc) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992 ^(a) , or under any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£1,151 per annum	£22.05 per week
	For decisions made on or after 9th April 2001		
(c)	the annual earnings figure for the purposes of article 12(4) is £9,542		
(d)	the weekly income figure for the purposes of article 12(6)(a)(i) is £90.50		
6.	Invalidity allowance under article 13—		
(a)	If—		
	(i) the relevant date fell before 5th July 1948;		
	(ii) on the relevant date the member was under the age of 35; or		
	(iii) on the relevant date the member was under the age of 40 and had not	£1,498 per annum	£28.70 per week

	attained the age of 65, in the case of the member being a man, or 60, in the case of the member being a woman, before 6th April 1979 and the period in respect of which payment of the allowance is to relate begins on or after 6th April 1979		
(b)	if head (a) does not apply and— (i) on the relevant date the member was under the age of 45; or (ii) on the relevant date the member was under the age of 50 and had not attained the age of 65, in the case of the member being a man, or 60, in the case of the member being a woman, before 6th April 1979 and the period in respect of which payment of the allowance is to relate begins on or after 6th April 1979	£981 per annum	£18.80 per week
(c)	if heads (a) and (b) do not apply and on the relevant date the member was a man under the age of 60 or a woman under the age of 55	£490 per annum	£9.40 per week
7. Comforts allowance—			
(a)	under article 14(1)(a)	£1,993 per annum	£38.20 per week
(b)	under article 14(1)(b)	£997 per annum	£19.10 per week
8.	Allowance for lowered standard of occupation under article 15	£4,623 per annum ^(*)	£88.60 per week ^(*)
9. Age allowance under article 16 where the degree of pensioned disablement is—			
(a)	40 to 50 per cent	£819 per annum	£15.70 per week
(b)	over 50 per cent, but not exceeding 70 per cent	£1,263 per annum	£24.20 per week
(c)	over 70 per cent, but not exceeding 90 per cent	£1,795 per annum	£34.40 per week
(d)	over 90 per cent	£2,526 per annum	£48.40 per week
10.	Part-time treatment allowance under article 19	£107.80 per day ^(*)	£107.80 per day ^(*)
11.	Mobility supplement under article 20	£4,412 per annum	£84.55 per week

^(*) maximum amount payable

^(a) 1992 c. 4.”

SCHEDULE 4

Article 5(a)

TABLES TO BE SUBSTITUTED FOR TABLES 1, 2, 3, 4, 5, 6 AND 7 IN PART 2 OF SCHEDULE 2 TO THE PRINCIPAL ORDER

“Table 1

YEARLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES BEFORE 14 AUGUST 1914 OR AFTER 30 SEPTEMBER 1921

PENSIONS OTHER THAN PENSIONS AWARDED UNDER ARTICLE 11(1) OR (2) OF THE 1921 (OFFICERS) ORDER(a) OR ARTICLE 11(1) OF THE 1921 (WARRANT OFFICERS) ORDER(b), OF THE 1920 WARRANT(c) OR OF THE 1921 ORDER(d)

<i>Group</i>	<i>Yearly Rate</i>
(1)	(2)
	£
1	10,735
2	10,354
3	10,109
4	9,889
5	9,797
6	9,600
7	9,548
8	9,478
9	9,444
10	9,402
11	9,347

Table 2

WEEKLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF RATINGS, SOLDIERS OR AIRMEN

<i>Group</i>	<i>Weekly Rate</i>
(1)	(2)
	£
12-17	178.20

Table 3

YEARLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES BETWEEN 14 AUGUST 1914 AND 30 SEPTEMBER 1921

PENSIONS AWARDED UNDER ARTICLE 11(1) OR (2) OF THE 1921 (OFFICERS) ORDER OR ARTICLE 11(1) OF THE 1921 (WARRANT OFFICERS) ORDER, OF THE 1920 WARRANT OR OF THE 1921 ORDER

<i>Group</i>	<i>Yearly Rate</i>
(1)	(2)
	£
1	10,976
2	10,493
3	10,252
4	10,006
5	9,820
6	9,622
7	9,568
8	9,478

- (a) Order in Council of 9th March 1921.
- (b) Order in Council of 9th March 1921.
- (c) Royal Warrant of 2nd July 1920.
- (d) Order of His Majesty of 25th September 1921.

9	9,444
10	9,402
11	9,347

Table 4

YEARLY RATES OF PENSIONS FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES BEFORE 14 AUGUST 1914 OR AFTER 30 SEPTEMBER 1921

<i>Group</i>	<i>Yearly Rate</i>
(1)	(2)
	£
1	10,735
2	10,354
3	10,109
4	9,889
5	9,797
6	9,600
7	9,548
8	3,292
9	2,932
10	2,582
11	2,281

Table 5

WEEKLY RATES OF PENSIONS FOR CHILDLESS SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS AGED UNDER 40 BEING SURVIVING SPOUSES OR SURVIVING CIVIL PARTNERS OF RATINGS, SOLDIERS OR AIRMEN

<i>Group</i>	<i>Weekly Rate</i>
(1)	(2)
	£
12-17	42.69

Table 6

YEARLY RATE OF SUPPLEMENTARY PENSION FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF OFFICERS WHO WERE MEMBERS OF THE ARMED FORCES AND WHOSE SERVICE TERMINATED ON OR BEFORE 31 MARCH 1973

<i>Group</i>	<i>Yearly Rate</i>
(1)	(2)
	£
1 – 11	6,221.42

Table 7

WEEKLY RATE OF SUPPLEMENTARY PENSION FOR SURVIVING SPOUSES AND SURVIVING CIVIL PARTNERS OF RATINGS, SOLDIERS AND AIRMEN WHO WERE MEMBERS OF THE ARMED FORCES AND WHOSE SERVICE TERMINATED ON OR BEFORE 31 MARCH 1973

<i>Group</i>	<i>Weekly Rate</i>
(1)	(2)
	£
12 – 17	119.23"

SCHEDULE 5

Article 5(b)

TABLE TO BE SUBSTITUTED FOR THE TABLE IN PART 3 OF
SCHEDULE 2 TO THE PRINCIPAL ORDER

“Table

**RATES OF PENSIONS, OTHER THAN SURVIVING SPOUSES’ AND SURVIVING
CIVIL PARTNERS’ PENSIONS AND ALLOWANCES PAYABLE IN RESPECT
OF DEATH**

<i>Description of Pension or Allowance</i>	<i>Rates</i>	
	<i>Groups 1-11</i>	<i>Groups 12-17</i>
1. Pension under article 24 to dependant who lived as a spouse or dependant who lived as a civil partner	£9,176 per annum ^(*)	£178.85 per week ^(*)
2. Rent allowance under article 25	£3,499 per annum ^(*)	£67.05 per week ^(*)
3. Elderly persons allowance under article 26—		
(a) if aged 65 or over but under 70	£1,062 per annum	£20.35 per week
(b) if aged 70 or over but under 80	£2,038 per annum	£39.05 per week
(c) if aged 80 or over	£3,026 per annum	£58.00 per week
4. Allowances in respect of children—		
(a) under article 28(2)(a)—		
(i) in respect of the only, elder or eldest child of a member	£1,458 per annum	£27.95 per week
(ii) in respect of each other child of a member	£1,625 per annum	£31.15 per week
(iii) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992, or any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£1,625 per annum	£31.15 per week
(b) under article 28(2)(b)		
(i) in respect of the only, elder or eldest child of a member	£1,670 per annum	£32.00 per week
(ii) in respect of each other child of a member	£1,826 per annum	£35.00 per week
(iii) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992, or any legislation in Northern Ireland or the Isle of Man corresponding to that Act	£1,826 per annum	£35.00 per week
5. Pension under article 29 to a child of a member who has no parent living and has not attained the child’s age limit—		
(a) in respect of the only, elder or eldest child of a member	£1,670 per annum	£32.00 per week
(b) in respect of each other child of a member	£1,826 per annum	£35.00 per week
(c) where the child does not qualify for child benefit under the Social Security Contributions and Benefits Act 1992, or any legislation in Northern Ireland or the Isle of Man	£1,826 per annum	£35.00 per week

	corresponding to that Act		
6.	Allowance under article 30(2)(b) to or in respect of a child who has attained the child's age limit	£7,149 per annum ^(*)	£ 137.00 per week ^(*)

(*) maximum amount payable.”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (“the principal Order”), which makes provision for pensions and other awards in respect of disablement or death due to service before 6th April 2005 in the naval, military and air forces. The principal Order contains the scheme which provides the pensions and other awards.

Article 3 amends article 56 of the principal Order to include benefits under the Social Security (Scotland) Act 2018 in the list of benefits against which pension may be abated under that article.

The Tables in Schedules 1 to 5 to this Order replace tables in Schedules 1 and 2 to the principal Order, in order to adjust the rates prescribed for retired pay, pensions, gratuities and allowances in respect of disablement or death due to service in the armed forces.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

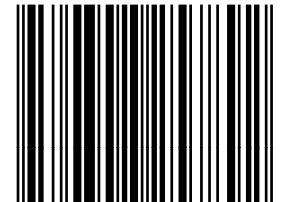
© Crown copyright 2024

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

£8.14

<http://www.legislation.gov.uk/id/uksi/2024/191>

ISBN 978-0-34-825789-2



9 780348 257892