

## SCHEDULE 3

### Consequential and related amendments

## PART 3

### Pension schemes

#### Personal Injuries (Civilians) Scheme 1983

- 106.**—(1) The Personal Injuries (Civilians) Scheme 1983(1) is amended as follows.
- (2) In article 2(2)—
- (a) in paragraph (8)—
    - (i) in the words before paragraph (a), after “living as a” insert “spouse or”;
    - (ii) in paragraph (a), omit “of the same sex”;
    - (iii) in paragraph (b), omit “of the same sex”;
    - (iv) in the words after paragraph (b), after “lived as a” insert “spouse or”;
  - (b) omit paragraph (9).
- (3) In article 30(3)—
- (a) in the heading, for “and dependants who lived as” substitute “or”;
  - (b) in paragraph (1), omit “a dependant who lived as a”, in the second place it occurs;
  - (c) in paragraph (2)—
    - (i) omit “a dependant who lived as a”, in the second place it occurs;
    - (ii) omit “the dependant who lived as a”, in the second place it occurs;
  - (d) in paragraph (3), omit “the dependant who lived as a”, in the second place it occurs.
- (4) In article 31(4)—
- (a) in the heading, for “, dependants who lived as spouses and dependants who lived as” substitute “and dependants who lived as spouses or”;
  - (b) in paragraph (1), for “, dependant who lived as his spouse or dependant who lived as his” substitute “or dependant who lived as his spouse or”;
  - (c) in paragraph (4), for “, dependant who lived as the spouse or dependant who lived as the” substitute “or dependant who lived as the spouse or”.
- (5) In article 54(1B)(g)(5), for “, dependants who lived as spouses and dependants who lived as” substitute “and dependants who lived as spouses or”.
- (6) In article 71(6)—
- (a) in paragraph (1), for “, lives with another person as the spouse of that person or lives with another person as a” substitute “or lives with another person as the spouse or”;

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(1) [S.I. 1983/686](#); amended by [S.I. 2005/3031](#) and [2019/420](#). There are other amending instruments not relevant to this instrument.

(2) Article 2(8) and (9) was substituted by [S.I. 2005/3031](#). There are other amendments to article 2 not relevant to this instrument.

(3) Article 30 was amended by [S.I. 2005/3031](#).

(4) Article 31 was amended by [S.I. 2005/3031](#). There are other amendments to article 31 not relevant to this instrument.

(5) Article 54(1B) was inserted by [S.I. 1986/628](#), and sub-paragraph (g) was amended by [S.I. 2005/3031](#). There are other amendments to article 54 not relevant to this instrument.

(6) In article 71, paragraph (1) was substituted by [S.I. 1984/1289](#), and amended by [S.I. 2005/655](#) and [2005/3031](#); paragraph (1A) was inserted by [S.I. 1997/812](#) and amended by [S.I. 2005/3031](#); and paragraph (1B) was inserted by [S.I. 2005/655](#), and amended by [S.I. 2005/3031](#). There are other amendments to article 71 not relevant to this instrument.

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- (b) in paragraph (1A)(a), for “, lived with another person as the spouse of that person or lived with another person as the” substitute “or lived with another person as the spouse or”;
- (c) in paragraph (1B), for “, begins to live with another person as the spouse of that person or begins to live with another person as the” substitute “or begins to live with another person as the spouse or”.

(7) In article 77(1)(b)(ii)(7), omit “dependant who lived as a”, in the second place it occurs.

(8) In Schedule 4(8), in the fourth entry in the table, in the first column, for “and dependants who lived as” substitute “or”.

### **National Health Service Pension Scheme Regulations 1995**

**107.**—(1) The National Health Service Pension Scheme Regulations 1995(9) are amended as follows.

(2) In regulation A2(10), in the definition of “marriage”, at the end insert “, and are to be construed in accordance with regulation A4”.

(3) In regulation A4(11)—

- (a) for the heading substitute “Treatment of same sex marriages and opposite sex civil partnerships”;
- (b) after paragraph (5) insert—

“(5A) Where a female member is in a civil partnership with a man, for the purposes of these Regulations—

- (a) the civil partnership is to be treated as a marriage;
- (b) the man is accordingly to be treated as the husband (or, if the member is deceased, widower) of the member; and
- (c) any related reference, however expressed, to marriage or civil partnership, or the parties to either, is to be read accordingly.”.

### **Armed Forces Pension Scheme Order 2005**

**108.** In rule E.2(3)(b)(ii) of Schedule 1 to the Armed Forces Pension Scheme Order 2005(12), after “civil partnership, or” insert “prior to the date on which the Civil Partnership (Opposite-sex Couples) Regulations 2019 came into force”.

### **Reserve Forces Pension Scheme Regulations 2005**

**109.** In rule E.2(3)(b)(ii) of Schedule 1 to the Reserve Forces Pension Scheme Regulations 2005(13), after “civil partnership, or” insert “prior to the date on which the Civil Partnership (Opposite-sex Couples) Regulations 2019 came into force”.

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(7) Article 77(1)(b) was amended by [S.I. 2005/3031](#).

(8) The table in Schedule 4 was substituted by [S.I. 2019/420](#).

(9) [S.I. 1995/300](#).

(10) Regulation A2 was amended by [S.I. 2014/78](#). There are other amendments not relevant to this instrument.

(11) Regulation A4 was inserted by [S.I. 2014/78](#), and amended by [S.I. 2014/3061](#). There are other amendments not relevant to this instrument.

(12) [S.I. 2005/438](#). Rule E.2(3)(b), in relation to England and Wales, was substituted by [S.I. 2014/107](#). There are other amendments to this Order not relevant to this instrument.

(13) Regulations of the Defence Council, 4th April 2005. These Regulations, and certain further regulations amending them, are not statutory instruments. They are available at <https://www.gov.uk/government/publications/reserve-forces-pension-scheme-regulations>. Hard copies are available from CDP-Remuneration, Armed Forces Pensions, Level 6 Zone M, Ministry of Defence, Main Building, London SW1A 2HB. Rule E.2(3)(b), in relation to England and Wales, was substituted by [S.I. 2014/107](#). There are other amendments not relevant to this instrument.

## Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006

**110.**—(1) The Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 2006(**14**) is amended as follows.

(2) In article 2(2), for “, dependant who lived as a spouse or dependant who lived as a” substitute “or dependant who lived as a spouse or”.

(3) In article 12(6)(a)(**15**), in the words before paragraph (i), for “, dependant living as a spouse or dependant living as a” substitute “or dependant living as a spouse or”.

(4) In article 24—

(a) in the heading, for “and dependants who lived as” substitute “or”;

(b) in paragraph (1), omit “a dependant who lived as a”, in the second place it occurs.

(5) In article 25—

(a) in the heading, for “, dependants who lived as spouses and dependants who lived as”; substitute “and dependants who lived as spouses or”;

(b) in paragraph (1), in the words before paragraph (a), omit “a dependant who lived as a”, in the second place it occurs.

(6) In article 27(1)(**16**), in the words after paragraph (c), omit “dependant who lived as a”.

(7) In article 33(**17**)—

(a) in paragraph (1), for the words from “marries” to the end substitute “marries or forms a civil partnership with another person, or lives with another person as the spouse or civil partner of that person, before the 1st April 2015.”;

(b) in paragraph (3), for the words from “marries” to the end substitute “marries or forms a civil partnership with another person, or begins to live with another person as the spouse or civil partner of that person, on or after the 6th April 2005.”.

(8) In article 34(2)(**18**)—

(a) in sub-paragraph (l), omit “a dependant who lived as a”, in the second place it occurs;

(b) in sub-paragraph (m), for “, dependant who lived as a spouse or dependant who lived as a” substitute “or dependant who lived as a spouse or”.

(9) In article 35(9)(b)(**19**), omit “a dependant living as a”, in the second place it occurs.

(10) In article 68(5)(b)(ii)(**20**), omit “dependant who lived as a”, in the second place it occurs.

(11) In Part 4 of Schedule 1(**21**), in the fifth item in the table, in the first column, in paragraph (b) (i), for “, dependant living as a spouse or dependant living as a” substitute “or dependant living as a”.

(12) In Part 3 of Schedule 2(**22**), in the first entry in the table, in the first column, omit “dependant who lived as a”, in the second place it occurs.

(13) In Schedule 6(**23**)—

(a) omit item 25;

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(14) [S.I. 2006/606](#), amended by [S.I. 2012/359](#), [2014/107](#), [2014/3229](#) and [2019/186](#). There are other amending instruments not relevant to this instrument.

(15) Article 12(6)(a) was amended by [S.I. 2012/359](#). There are other amendments to article 12 not relevant to this instrument.

(16) There are amendments to article 27, but none relevant to this instrument.

(17) Article 33(1) was amended by [S.I. 2015/208](#). There are other amendments to article 33 not relevant to this instrument.

(18) There are amendments to article 34, but none relevant to this instrument.

(19) There are amendments to article 35, but none relevant to this instrument.

(20) There are amendments to article 68, but none relevant to this instrument.

(21) The table in Part 4 was substituted by [S.I. 2019/186](#).

(22) The table in Part 3 was substituted by [S.I. 2019/186](#).

(23) Items 25 and 26 were amended, in relation to England and Wales, by [S.I. 2014/107](#), and in relation to Scotland, by [SI 2014/3229](#). There are other amendments to Schedule 6 not relevant to this instrument.

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- (b) in item 26, in the second column, after “living as a” insert “spouse or”;
- (c) also in item 26, in the third column—
  - (i) omit “of the same sex”;
  - (ii) after “lived as a” insert “spouse or”;
- (d) in item 30, in the third column, for “, dependant living as a”, in the second place it occurs, substitute “or”.

### **Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010**

**111.**—(1) The Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010(**24**) is amended as follows.

(2) In Schedule 1(**25**) (which sets out the Armed Forces Pension Scheme 1975 as it applies to the Navy and the Marines)—

- (a) in rule E.1(**26**)—
  - (i) in paragraph (3)(c), for paragraph (ii) (including the “or”) substitute—
    - “(ii) was a man and leaves a surviving civil partner (of either sex);
    - (iia) was a woman and leaves a surviving civil partner who is a woman; or”;
  - (ii) in paragraph (5), for sub-paragraph (c) substitute—
    - “(c) the member was a woman and—
      - (i) was married to a man whom she leaves a widower; or
      - (ii) leaves a surviving civil partner who is a man.”;

(b) in rule E.9(3)(**27**), after “married couple” insert “or civil partners”.

(3) In Schedule 2 (which sets out the Naval and Marines Attributable Benefits Scheme)—

- (a) in rule C.2(**28**)—
  - (i) in paragraph (a), for sub-paragraph (ii) (including the “or”) substitute—
    - “(ii) was a man and leaves a surviving civil partner (of either sex);
    - (iia) was a woman and leaves a surviving civil partner who is a woman; or”;
  - (ii) in paragraph (b), for paragraph (ii) (including the “or”) substitute—
    - “(ii) was a man and leaves a surviving civil partner (of either sex), where the civil partnership was formed after discharge;

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(24) Order in Council of 10th February 2010; amended by the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2010, [S.I. 2014/107](#), the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2015, and the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018. There are other amending instruments not relevant to this instrument. This Order, and certain further orders amending it, are not statutory instruments. They are available at <https://www.gov.uk/government/publications/armed-forces-pension-scheme-1975-regulations>. Hard copies are available from CDP-Remuneration, Armed Forces Pensions, Level 6 Zone M, Ministry of Defence, Main Building, London SW1A 2HB.

(25) Schedule 1 was substituted by the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2010.

(26) Paragraphs (3)(c) and (5)(c) of rule E.1 were substituted by the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018.

(27) Rule E.9 was substituted by the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2015.

(28) Rule C.2 was substituted by the Naval and Marine Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018.

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- (iia) was a woman and leaves a surviving civil partner who is a woman, where the civil partnership was formed after discharge; or”;
- (iii) in paragraph (c), for the words from “married to” to the end (but not the final “or”) substitute—
  - “—
  - (i) married to a man whom she leaves a widower; or
  - (ii) who leaves a surviving civil partner who is a man;”;
- (b) in rule C.3(29)—
  - (i) in paragraph (a), at the end insert “or”;
  - (ii) for paragraphs (b) and (c) (including the final “and”) substitute—
    - “(b) the person and the deceased were living together as if they were a married couple or civil partners and were not—
      - (i) prevented from marrying (or, prior to 13th March 2014 (which is the date on which section 1 of the Marriage (Same Sex Couples) Act 2013 came fully into force), would not have been prevented from doing so apart from both being of the same sex), or
      - (ii) prevented from forming a civil partnership (or, prior to the date on which the Civil Partnership (Opposite-sex Couples) Regulations 2019 came into force, would not have been prevented from doing so apart from both being of the opposite sex), and”.

### **Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Warrant 2010**

**112.**—(1) The Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Warrant 2010(30) is amended as follows.

(2) In Schedule 1(31) (which sets out the Armed Forces Pension Scheme 1975 as it applies to the Army)—

- (a) in rule E.1(32)—
  - (i) in paragraph (3)(c), for paragraph (ii) (including the “or”) substitute—
    - “(ii) was a man and leaves a surviving civil partner (of either sex);
    - (iia) was a woman and leaves a surviving civil partner who is a woman; or”;
  - (ii) in paragraph (5), for sub-paragraph (c) substitute—
    - “(c) the member was a woman and—
      - (i) was married to a man whom she leaves a widower; or

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(29) Rule C.3 was amended, in relation to England and Wales, by [S.I. 2014/107](#).

(30) Royal Warrant of 10th February 2010; amended by the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Warrant 2010, [S.I. 2014/107](#), the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Warrant 2015, and the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Warrant 2018. There are other amending instruments not relevant to this instrument. This Warrant, and certain further warrants amending it, are not statutory instruments. They are available at <https://www.gov.uk/government/publications/armed-forces-pension-scheme-1975-regulations>. Hard copies are available from CDP-Remuneration, Armed Forces Pensions, Level 6 Zone M, Ministry of Defence, Main Building, London SW1A 2HB.

(31) Schedule 1 was substituted by the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Warrant 2010.

(32) Paragraphs (3)(c) and (5)(c) of rule E.1 were substituted by the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Warrant 2018. There are other amendments to rule E.1 not relevant to this instrument.

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- (ii) leaves a surviving civil partner who is a man.”;
- (b) in rule E.9(3)(33), after “married couple” insert “or civil partners”.
- (3) In Schedule 2 (which sets out the Army Attributable Benefits Scheme)—
  - (a) in rule C.2(34)—
    - (i) in paragraph (a), for sub-paragraph (ii) (including the “or”) substitute—
      - “(ii) was a man and leaves a surviving civil partner (of either sex);
      - (iia) was a woman and leaves a surviving civil partner who is a woman; or”;
    - (ii) in paragraph (b), for paragraph (ii) (including the “or”) substitute—
      - “(ii) was a man and leaves a surviving civil partner (of either sex), where the civil partnership was formed after discharge;
      - (iia) was a woman and leaves a surviving civil partner who is a woman, where the civil partnership was formed after discharge; or”;
    - (iii) in paragraph (c), for the words from “married to” to the end (but not the final “or”) substitute—
      - “—
      - (i) married to a man whom she leaves a widower; or
      - (ii) who leaves a surviving civil partner who is a man;”;
  - (b) in rule C.3(35)—
    - (i) in paragraph (a), at the end insert “or”;
    - (ii) for paragraphs (b) and (c) (including the final “and”) substitute—
      - “(b) the person and the deceased were living together as if they were a married couple or civil partners and were not—
        - (i) prevented from marrying (or, prior to 13th March 2014 (which is the date on which section 1 of the Marriage (Same Sex Couples) Act 2013 came fully into force), would not have been prevented from doing so apart from both being of the same sex), or
        - (ii) prevented from forming a civil partnership (or, prior to the date on which the Civil Partnership (Opposite-sex Couples) Regulations 2019 came into force, would not have been prevented from doing so apart from both being of the opposite sex), and”.

## **Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010**

**113.**—(1) The Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) Order 2010(36) is amended as follows.

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(33) Rule E.9 was substituted by the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Warrant 2015.

(34) Rule C.2 was substituted by the Army Pensions (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Warrant 2018.

(35) Rule C.3, in relation to England and Wales, was amended by [S.I. 2014/107](#).

(36) Order by Her Majesty of 10th February 2010; amended by the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2010, [S.I. 2014/107](#), the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2015, and the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018. There are other amending instruments not relevant to this instrument. This Order, and certain further orders amending it, are not statutory instruments. They are available at <https://www.gov.uk/government/publications/armed-forces-pension-scheme-1975-regulations>. Hard copies are available from CDP-Remuneration, Armed Forces Pensions, Level 6 Zone M, Ministry of Defence, Main Building, London SW1A 2HB.

(2) In Schedule 1**(37)** (which sets out the Armed Forces Pension Scheme 1975 as it applies to the Air Force)—

(a) in rule E.1**(38)**—

(i) in paragraph (3)(c), for paragraph (ii) (including the “or”) substitute—

“(ii) was a man and leaves a surviving civil partner (of either sex);

(iia) was a woman and leaves a surviving civil partner who is a woman; or”;

(ii) in paragraph (5), for sub-paragraph (c) substitute—

“(c) the member was a woman and—

(i) was married to a man whom she leaves a widower; or

(ii) leaves a surviving civil partner who is a man.”;

(b) in rule E.9(3)**(39)**, after “married couple” insert “or civil partners”.

(3) In Schedule 2 (which sets out the Air Force Attributable Benefits Scheme)—

(a) in rule C.2**(40)**—

(i) in paragraph (a), for sub-paragraph (ii) (including the “or”) substitute—

“(ii) was a man and leaves a surviving civil partner (of either sex);

(iia) was a woman and leaves a surviving civil partner who is a woman; or”;

(ii) in paragraph (b), for paragraph (ii) (including the “or”) substitute—

“(ii) was a man and leaves a surviving civil partner (of either sex), where the civil partnership was formed after discharge;

(iia) was a woman and leaves a surviving civil partner who is a woman, where the civil partnership was formed after discharge; or”;

(iii) in paragraph (c), for the words from “married to” to the end (but not the final “or”) substitute—

“—

(i) married to a man whom she leaves a widower; or

(ii) who leaves a surviving civil partner who is a man;”;

(b) in rule C.3**(41)**—

(i) in paragraph (a), at the end insert “or”;

(ii) for paragraphs (b) and (c) (including the final “and”) substitute—

“(b) the person and the deceased were living together as if they were a married couple or civil partners and were not—

(i) prevented from marrying (or, prior to 13th March 2014 (which is the date on which section 1 of the Marriage (Same Sex Couples) Act 2013 came fully into force), would not have been prevented from doing so apart from both being of the same sex), or

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**(37)** Schedule 1 was substituted by the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2010.

**(38)** Paragraphs (3)(c) and (5)(c) of rule E.1 were substituted by the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018. There are other amendments to rule E.1 that are not relevant to this instrument.

**(39)** Rule E.9 was substituted by the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2015.

**(40)** Rule C.2 was substituted by the Air Force (Armed Forces Pension Scheme 1975 and Attributable Benefits Scheme) (Amendment) Order 2018.

**(41)** Rule C.3 was amended, in relation to England and Wales, by [S.I. 2014/107](#).

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- (ii) prevented from forming a civil partnership (or, prior the date on which the Civil Partnership (Opposite-sex Couples) Regulations 2019 came into force, would not have been prevented from doing so apart from both being of the opposite sex), and”.

### **Armed Forces (Redundancy, Resettlement and Gratuity Earnings Schemes) (No 2) Order 2010**

**114.** In article 23(c)(ii) of the Armed Forces (Redundancy, Resettlement and Gratuity Earnings Schemes) (No 2) Order 2010(42), after “civil partnership, or” insert “prior the date on which the Civil Partnership (Opposite-sex Couples) Regulations 2019 came into force”.

### **Teachers’ Pensions Regulations 2010**

**115.—**(1) The Teachers’ Pensions Regulations 2010(43) are amended as follows.

(2) In Schedule 5, in paragraph 3(44)—

- (a) in sub-paragraph (a)(ii), after “a woman with a” insert “female”;
- (b) in sub-paragraph (b), after “male spouse” insert “or a male civil partner”.

(3) In Schedule 8(45)—

(a) in paragraph 1—

- (i) for the heading substitute “Pensions for surviving adults: general”;
- (ii) in sub-paragraph (1), for paragraph (b) substitute—
  - “(b) where D is a man, D’s surviving civil partner (of either sex);
  - (ba) where D and her surviving civil partner are both women, that partner.”;
- (iii) in sub-paragraph (2)(h), after sub-paragraph (i) insert—
  - “(ia) D was a man in a civil partnership, in a case where D’s surviving adult is a surviving civil partner who is a man;
  - (ib) D was a man or woman in a civil partnership, in a case where D’s surviving adult is a surviving civil partner who is a woman.”;

(b) in paragraph 2—

- (i) for the heading substitute “Pensions for widowers other than widowers with pre-1988 rights, and surviving male civil partners, of female members”;
- (ii) in sub-paragraph (1), for “a widower other than a widower with pre-1988 rights.” substitute—
  - “\_\_
  - (a) a widower other than a widower with pre-1988 rights, or
  - (b) a surviving civil partner who is a man.”;
- (iii) in sub-paragraph (2)(f), for “D was a married woman.” substitute—
  - “\_\_

(42) *S.I. 2010/832*. Article 23(c) was substituted, in relation to England and Wales, by *S.I. 2014/107*. There are other amendments to this Order not relevant to this instrument.

(43) *S.I. 2010/990*; amended by *S.I. 2019/1134*. There are other amending instruments but none is relevant to this instrument.

(44) Paragraph 3 of Schedule 5 was substituted by *S.I. 2019/1194*. There are other amendments to the Schedule not relevant to this instrument.

(45) Schedule 8 was amended by *S.I. 2019/1194*.



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- (i) D was a married woman, in a case where D’s surviving adult is a widower other than a widower with pre-1988 rights, or
  - (ii) D was a woman in a civil partnership, in a case where D’s surviving adult is a surviving civil partner who is a man.”.
- (4) In Schedule 9(46)—
- (a) in paragraph 1—
    - (i) in the heading, after “Pensions for” insert “certain”;
    - (ii) in sub-paragraph (1)(a), after “(b),” insert “(ba),”;
    - (iii) in sub-paragraph (4)(a), for the words from “pensions” to “pre-1988 rights” substitute “pensions for surviving adults: general”;
  - (b) in paragraph 2—
    - (i) in the heading, after “Pensions for” insert “certain”;
    - (ii) in sub-paragraph (1)(a), after “(b),” insert “(ba),”;
  - (c) in paragraph 3—
    - (i) in the heading, after “widowers”, in the first place it occurs, insert “or surviving male civil partners”;
    - (ii) in sub-paragraph (1), for “a widower other than a widower with pre-1988 rights.” substitute—
      - “—
      - (a) a widower other than a widower with pre-1988 rights, or
      - (b) a surviving civil partner who is a man.”;
    - (iii) in sub-paragraph (2)(a), for “of female members other than widowers with pre-1988 rights” substitute “other than widowers with pre-1988 rights, and surviving male civil partners, of female members”.

### **Reserve Forces Non Regular Permanent Staff (Pension and Attributable Benefits Schemes) Regulations 2011**

**116.**—(1) The Reserve Forces Non Regular Permanent Staff (Pension and Attributable Benefits Schemes) Regulations 2011(47) are amended as follows.

- (2) In Schedule 1, in rule D.3—
- (a) in paragraph (4)(b)(48)—
    - (i) in paragraph (i), omit “or”;
    - (ii) after paragraph (i) insert—
      - “(ia) a man and leaves a surviving civil partner who is a woman”;
    - (iii) in paragraph (ii), at the end insert “; or”;
    - (iv) after paragraph (ii) insert—

(46) Paragraphs (1) to (3) of Schedule 9 were amended by [S.I. 2019/1194](#). There are other amendments to the Schedule not relevant to this instrument.

(47) Regulations of the Defence Council, 15 July 2011. The Regulations are not a statutory instrument. They are available at <https://www.gov.uk/government/publications/reserve-forces-pension-scheme-regulations>. Hard copies are available from CDP-Remuneration, Armed Forces Pensions, Level 6 Zone M, Ministry of Defence, Main Building, London SW1A 2HB.

(48) Rule D.3(4)(b) was substituted, in relation to England and Wales, by [S.I. 2014/3061](#), and in relation to Scotland, by [S.I. 2014/3061](#).

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- “(iii) a woman in a relevant gender change case who leaves a surviving civil partner who is a woman.”.
- (b) in paragraph (8)(b)(**49**), for “married to a woman and that marriage” substitute “married to, or in a civil partnership with, a woman and that marriage or civil partnership”.
- (3) Also in Schedule 1, in rule D.8(4)(**50**), for “married” substitute “a married couple or civil partners”.
- (4) In Schedule 2, in rule C.2(**51**)—
- (a) in paragraph (4)(c)—
- (i) for the words before paragraph (i) substitute “was married to, or the civil partner of, a woman and that civil partnership—”;
- (ii) in paragraph (i), after “took place” insert “, or was formed,”;
- (b) in paragraph (4)(d), after “widow” insert “or surviving civil partner”;
- (c) in paragraph (5)(c)—
- (i) in the words before paragraph (i), after “married” insert “, or formed a civil partnership with,”;
- (ii) in paragraph (ii), after “marriage” insert “or civil partnership”;
- (d) in paragraph (5)(d), after “widow” insert “or surviving civil partner”.

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(**49**) Rule D.3(8) was inserted, in relation to England and Wales, by [S.I. 2014/3061](#), and in relation to Scotland, by [S.I. 2014/3061](#).  
(**50**) Rule D.8(4) was substituted, in relation to England and Wales, by [S.I. 2014/107](#), and in relation to Scotland, by [S.I. 2014/3229](#).  
(**51**) Rule C.2(4) and (5) was substituted, in relation to England and Wales, by [S.I. 2014/3061](#), and in relation to Scotland, by [S.I. 2014/3061](#).