



“(2ZA) In a case where a person is entitled to a payment of armed forces independence payment, the reference in subsection (1) to section 1 of the Administration Act is to be read as a reference to article 43 of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 (S.I. 2011/517).”.

(4) In section 146 (interpretation of Part X)(a)—

(a) in subsection (1), before paragraph (c) insert—

“(zc) armed forces independence payment;”;

(b) in subsection (2), before the definition of “attendance allowance” insert—

““armed forces independence payment” means armed forces independence payment under the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 (S.I. 2011/517);”.

Parliamentary Under Secretary of State  
Ministry of Defence

Date

## EXPLANATORY NOTE

*(This note is not part of the Order)*

The provisions contained in this Order are made to give full effect to section 1(2) of the Armed Forces (Pensions and Compensation Scheme) Act 2004 (c.32) consequential upon the Armed Forces and Reserve Forces (Compensation Scheme) (Amendment) Order 2013 (S.I. 2013/436) (“the 2013 Order”) which amends the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 (S.I. 2011/517) (“the 2011 Order”). Both Orders are made under that section. The 2011 Order provides for a scheme of compensation payments to be payable to or in respect of a person by reason of illness or injury (whether physical or mental), or death, which is caused (wholly or partly) by service in the armed forces of the reserve forces. The 2013 Order provides for a new payment called the armed forces independence payment under the Scheme.

Article 2 of the Order amends section 70(2) (carer’s allowance), section 144 (entitlement of pensioners to Christmas bonus) and section 146 (interpretation of Part X) of the Social Security Contribution and Benefits (Northern Ireland) Act 1992 (c.7). The amendment of section 70(2) provides that the definition of a “severely disabled person” for the purpose of carer’s allowance includes a person in receipt of armed forces independence payment. The amendment of section 144 modifies section 144(1) in its application to armed forces independence payment, so that the reference to section 1 of the Social Security Administration (Northern Ireland) Act 1992 (c.8) is to be read instead as a reference to article 43 of the 2011 Order. The amendment of section 146 provides for armed forces independence payment to be a qualifying benefit for the purposes of Part X (Christmas bonus for pensioners) of that Act.

---

© Crown copyright 2013

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s Stationery Office and Queen’s Printer of Acts of Parliament.

---

(a) There are amendments to section 146 not relevant to this Order.



£4.00

UK201311143 11/2013 19585

<http://www.legislation.gov.uk/id/ukdsi/2013/9780111106068>

ISBN 978-0-11-110606-8



9 780111 106068