
STATUTORY INSTRUMENTS

2005 No. 437

**The Armed Forces Early Departure
Payments Scheme Order 2005**

Early departure payments

Amount of payments under article 9

10.—(1) The annual amount of the periodical payments payable to an eligible person in respect of the part of the period mentioned in article 9(2) before he attains the age of 55 is the sum of—

- (a) the basic amount, and
- (b) the additional service allowance.

(2) The basic amount is $N/140$ ths of the person's final relevant earnings.

(3) The additional service allowance is calculated by multiplying 3.3334% of the basic amount by $(N - X)$.

(4) For the purposes of paragraphs (2) and (3)—

- (a) N is the number of years' relevant service that the person is entitled to count for the purposes of Condition C in article 8(4), and
- (b) X is the greater of—
 - (i) 18, and
 - (ii) the number of years' relevant service that the person was entitled to count when he attained the age of 40,expressed in each case in years and fractions of a year, and
- (c) if $N - X$ is not a whole number or zero, it is rounded down to the nearest whole number or to zero, as the case may be.

Sub-paragraph (a) is subject to paragraph (5).

(5) If the person's calculation service includes any period within sub-paragraph (b) or (c) of the definition of that service in article 5, N is increased by the number of years in that period (expressed in years and fractions of a year).

(6) The annual amount of the periodical payments payable to an eligible person in respect of the part of the period mentioned in article 9(2) after he attains the age of 55 is the person's basic amount multiplied by 1.5.

(7) The amount of the lump sum payable to an eligible person is—

- (a) except where sub-paragraph (b) applies, three-seventieths of the person's final relevant earnings, multiplied by the length of person's calculation service (expressed in years and fractions of a year), and
- (b) in a case where a lump sum has been paid to the person previously under article 9, the amount payable under sub-paragraph (a), less the amount so previously paid that has not been repaid under article 12(6).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(8) In the case of a person who would be an excluded person for the purposes of article 8(2), apart from the Secretary of State agreeing as mentioned in article 8(6)(a), the amounts of the payments under this article are to be reduced by such amount as the Secretary of State considers appropriate, after consultation with the Scheme actuary.

(9) This article is subject to articles 11 and 12.