

## SCHEDULE 1

Article 2

### PART 1

#### **Amendment of article 7 (gratuity for minor disablement)**

1. In article 7(2)(a) for “disablement was of uncertain duration;” substitute “duration of the assessed disablement was temporary;”.

#### **Amendment of article 23 (pensions to surviving spouses and surviving civil partners)**

2. In article 23(2) for “£70.88” substitute “£73.64”.

#### **Amendment of article 27 (temporary allowances)**

3. In article 27(1) omit paragraph (a).

#### **Amendment of article 33 (relationships subsequent to the award of pension)**

4. In article 33(3) after “who died or whose service terminated” omit “on or”.

#### **Amendment of article 40 (entitlement where a claim is made in respect of a disablement, or death occurs, not later than 7 years after the termination of service)**

5. In article 40(3) for “provision” substitute “provisions”.

#### **Amendment of article 44 (review of decisions, assessments and awards)**

6. In article 44(1)—

- (a) after “the provisions of paragraph (8)” omit “, any decision”;
- (b) in sub-paragraph (a) before “accepting or rejecting” insert “any decision”.

#### **Amendment of Schedule 1**

7. In Schedule 1 (disablement due to service in the armed forces)—

- (a) for the Table in Part II substitute the Table set out in Schedule 2 to this Order;
- (b) for Tables 1 and 2 in Part III substitute Tables 1 and 2 set out in Schedule 3 to this Order; and
- (c) for the Table in Part IV substitute the Table set out in Schedule 4 to this Order.

#### **Amendment of Schedule 2**

8. In Schedule 2 (death due to service in the armed forces)—

- (a) for Tables 1, 2, 3, 4 and 5 of Part II substitute Tables 1, 2, 3, 4 and 5 set out in Schedule 5 to this Order; and
- (b) for the Table in Part III substitute the Table set out in Schedule 6 to this Order.

#### **Amendment of Schedule 3**

9. In Schedule 3 (commencing date of awards)—

*Status: This is the original version (as it was originally made).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

- (a) in paragraph 1(2)(a) for “Part IV” substitute “Part III”;
- (b) in paragraph 3 for “High Court” substitute “Social Security Commissioners”.

## PART 2

### **Amendment of article 10 (severe disablement occupational allowance)**

**10.** For article 10(2) substitute—

“(2) Paragraph (1) does not apply during any period in respect of which the member of the armed forces is—

- (a) eligible for an award under article 12(1)(a);
- (b) in receipt of any personal benefit under Part 2 or Part 3 of the Social Security Contributions and Benefits Act 1992<sup>(1)</sup> or the corresponding provisions of the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>(2)</sup>;
- (c) in receipt of employment and support contributory allowance under Part 1 of the Welfare Reform Act 2007<sup>(3)</sup>; or
- (d) in receipt of any benefits similar to a personal benefit under the law of any place outside the United Kingdom which in the opinion of the Secretary of State is analogous to a personal benefit.”.

**11.** After article 10(3)(e) insert—

“(f) employment and support contributory allowance.”.

### **Amendment of article 50 (payment of public claims out of pension)**

**12.** In article 50(3)—

- (a) omit “or” at the end of paragraph (a);
- (b) after paragraph (a) insert—

“(aa) employment and support income-related allowance under Part 1 of the Welfare Reform Act 2007; or”.

### **Amendment of article 56 (abatement of awards of social security benefits)**

**13.** In article 56(3) after paragraph (e) insert—

“(f) Part 1 of the Welfare Reform Act 2007.”.

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(1) 1992 c.4.  
(2) 1992 c.7 (N.I.).  
(3) 2007 c.5.