

## SCHEDULE 2

Contrary provision to section 11(1) and (2) of, and paragraphs 1 to 3 of Schedule 3 to, the Act

## PART 3

Enactments etc. (general)

### **Provision to which section 11(1) and (2) of, and paragraphs 1 to 3 of Schedule 3 to, the Act are subject**

4.—(1) Section 11(1) and (2) of, and paragraphs 1 to 3 of Schedule 3 to, the Act have effect subject to sub-paragraph (2).

(2) In the calculation of the amount of death benefits payable under rules E.3(6)(a), E.4(3)(a) and E.5(3)(a) in Part E of Schedule 1 to the Armed Forces Pension Scheme Order 2005(1), a surviving spouse who was married to someone of the same sex is to be treated in the same way as the surviving civil partner of a civil partnership.

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(1) [S.I. 2005/438](#), to which there are amendments not relevant to this Order.