

2017 No. 1133

PENSIONS

The War Pensions Committees (Amendment) Regulations 2017

<i>Made</i>	- - - -	<i>21st November 2017</i>
<i>Laid before Parliament</i>		<i>23rd November 2017</i>
<i>Coming into force</i>	- -	<i>15th December 2017</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 25 and 29(1) of the Social Security Act 1989(a) and section 175(3) to (5) of the Social Security Contributions and Benefits Act 1992(b).

Citation and commencement

1. These Regulations may be cited as the War Pensions Committees (Amendment) Regulations 2017 and come into force on 15th December 2017.

Amendment of the War Pensions Committees Regulations 2000

2. The War Pensions Committees Regulations 2000(c) are amended as follows.

Committee for Wales

3. In regulation 4 (committee for Wales), for “Wales War Pensions Committee (Pwyllgor Pensiynau Rhyel Cymru)” substitute “Wales Veterans Advisory and Pensions Committee (Pwyllgor Cyngori a Pensiynau Cyn-filwyr Cymru)”.

Committee for Northern Ireland

4. In regulation 5 (committee for Northern Ireland), for “Northern Ireland War Pensions Committee” substitute “Northern Ireland Veterans Advisory and Pensions Committee”.

Committees for Scotland

5. In column 2 of the table in regulation 6 (committees for Scotland), for “War Pensions Committee”, in both places where it occurs, substitute “Veterans Advisory and Pensions Committee”.

(a) 1989 c. 24; section 25 was amended by paragraph 3 of the Schedule to the Transfer of Functions (War Pensions etc.) Order 2001 (S.I. 2001/3506) and the Armed Forces Act 2016 (c. 21), section 15; section 29(1) was amended by the Social Security (Consequential Provisions) Act 1992 (c.6), Schedule 2, paragraph 106.

(b) 1992 c. 4; section 175(4) and (5) was amended by the Social Security (Incapacity for Work) Act 1994 (c. 18), Schedule 1, paragraph 36, and the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), Schedule 3, paragraph 29(4).

(c) S.I. 2000/3180, amended by S.I. 2005/3032 and 2006/3152.

Functions of a committee

- 6.—(1) In regulation 8(1)—
- (a) in sub-paragraph (a), for “surviving spouses or surviving civil partners” substitute “surviving spouses, surviving civil partners or AFCS benefit recipients”;
 - (b) in sub-paragraph (b), at the end insert “and AFCS benefits”;
 - (c) in sub-paragraph (c)—
 - (i) for “the Veterans Agency” substitute “Veterans UK”; and
 - (ii) for “pensioners, surviving spouses, surviving civil partners” substitute “war pensioners, surviving spouses, surviving civil partners, AFCS benefit recipients”;
 - (d) in sub-paragraph (d)—
 - (i) for “surviving spouses and surviving civil partners” substitute “surviving spouses, surviving civil partners, AFCS benefit recipients and others claiming war pensions or AFCS benefits”;
 - (ii) for “pensions” substitute “war pensions, AFCS benefits”; and
 - (iii) for “the Veterans Agency” substitute “Veterans UK”.
- (2) In regulation 8(2)—
- (a) in sub-paragraph (a), for “war pensioner, surviving spouse or surviving civil partner” substitute “claiming or receiving a war pension or AFCS benefit”;
 - (b) in sub-paragraph (c), after “report” insert “or make recommendations”;
 - (c) in sub-paragraph (d), for “surviving spouses and surviving civil partners” substitute “surviving spouses, surviving civil partners and AFCS benefit recipients”.
- (3) After regulation 8(3) insert—
- “(4) In this regulation “Veterans UK” means an office designated by the Secretary of State for the purpose of receiving and determining claims for war pensions and AFCS benefits.”.

Committees in England

7. In column 2 of the table in Schedule 1 (committees in England), for “War Pensions Committee”, wherever it occurs, substitute “Veterans Advisory and Pensions Committee”.

Signed by authority of the Secretary of State for Defence

Tobias Ellwood
Parliamentary Under Secretary of State
Ministry of Defence

21st November 2017

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the War Pensions Committees Regulations 2000 (S.I. 2000/3180) (“the principal Regulations”).

The principal Regulations establish war pensions committees across the UK and give them functions. Their main functions currently relate to the war pensions scheme established under the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (S.I. 2006/606). This scheme provides compensation for injury or death caused by service in the armed forces before 6th April 2005.

Regulations 3 to 5 and 7 change the names of the committees established by the principal Regulations by substituting ‘Veterans Advisory and Pensions Committee’ for ‘war pensions committee’ in each of their names.

Regulation 6 amends regulation 8 of the principal Regulations, extending the functions of the committees to include matters connected with benefits payable under an armed and reserve forces compensation scheme established under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004 (c. 32). The current scheme is set out in the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011 (S.I. 2011/517) and provides compensation for injury or death caused by service in the armed forces on or after 6th April 2005.

Regulation 6 also amends regulation 8 of the principal Regulations to extend the recommendation-making functions of the committees and to enable them to assist those claiming war pensions and AFCS benefits, as well as those receiving them. It also replaces references to ‘the Veterans Agency’ with ‘Veterans UK’ to reflect that agency’s change in name.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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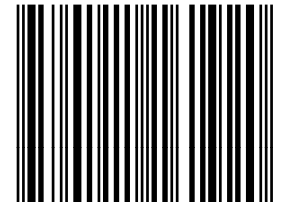
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