

*This Statutory Instrument has been printed to correct errors in Statutory Instrument 2006/606 and is being issued free of charge to all known recipients of that Statutory Instrument.*

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STATUTORY INSTRUMENTS

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**2006 No. 1455**

**PENSIONS**

**The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions (Amendment) (No. 2) Order 2006**

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|-------------------------------|---------|-----------------------|
| <i>Made</i>                   | - - - - | <i>7th June 2006</i>  |
| <i>Laid before Parliament</i> |         | <i>19th June 2006</i> |
| <i>Coming into force</i>      | - -     | <i>21st June 2006</i> |

At the Court at Buckingham Palace, the 7th day of June 2006

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty considers it expedient to amend the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006(1).

ACCORDINGLY, Her Majesty, exercising the powers conferred upon Her by sections 12(1) and 24(3) of the Social Security (Miscellaneous Provisions) Act 1977(2), and of all other powers enabling Her to do so, is pleased, by and with the advice of Her Privy Council, to order as follows:-

**Citation, commencement and interpretation**

1.—(1) This order may be cited as the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions (Amendment) (No. 2) Order 2006.

(2) In this Order, “the Service Pensions Order” means the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 and, except where the context otherwise requires, a reference to a numbered article, Part, or Schedule, is a reference to the article, Part, or Schedule in the Service Pensions Order which bears that number.

(3) This Order shall come into force on 21st June 2006.

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(1) S.I.2006/606.

(2) 1977 c. 5, subsection 24(3) of which was amended by the Social Security (Consequential Provisions) Act 1992 (1992 c. 6), section 4 and Schedule 2, paragraph 46.

## **Amendments to the Service Pensions Order**

2. The Service Pensions Order shall be amended in accordance with the following provisions.

### **Amendment to the Service Pensions Order – Article 8 (constant attendance allowance)**

3. In article 8(1) of the Service Pensions Order, for the words “Subject to article 70(4)” substitute the words “Subject to article 71(4)”.

### **Amendment to the Service Pensions Order - Article 21 (medical expenses)**

4. In article 21(1)(c) of the Service Pensions Order, after the word “arising” insert the words “wholly or mainly”.

### **Amendment to the Service Pensions Order - Schedule 3 (commencing dates of awards)**

5. In subparagraph 1(8) of Schedule 3 to the Service Pensions Order, for the words “the award shall take effect from the date on which the suspension took effect and any payment shall be calculated by reference to the date which was payable on that date” substitute the words “the Secretary of State shall adjust the award in accordance with subparagraph 6 and shall make a backdating payment in respect of the award, which payment shall”.

### **Amendment to the Service Pensions Order – Schedule 6 (interpretation)**

6. In part II of Schedule 6 to the Service Pensions Order, at item 25, in the text at “(a)” defining the expression “dependant living as a spouse”, before the words “any award” insert the words “up to the date of”.

*A.K.Galloway*  
Clerk of the Privy Council

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

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## EXPLANATORY NOTE

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

This Order amends the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 by correcting certain errors and omissions which arose during the process of consolidating a number of earlier instruments into that Order.

A regulatory impact assessment has not been produced for this instrument as it has no significant impact on the costs of business, charities or voluntary bodies.