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## STATUTORY INSTRUMENTS

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### 2006 No. 606

### PENSIONS

#### The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006

<i>Made</i>	- - - -	<i>8th March 2006</i>
<i>Laid before Parliament</i>		<i>20th March 2006</i>
<i>Coming into force</i>		<i>10th April 2006</i>

#### THE NAVAL, MILITARY AND AIR FORCES ETC. (DISABLEMENT AND DEATH) SERVICE PENSIONS ORDER 2006

##### PART I GENERAL

1. Citation, commencement and interpretation
2. Interpretation – further provision
3. Rank or status

##### PART II AWARDS IN RESPECT OF DISABLEMENT

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5. General conditions for Part II
6. Retired pay or pension for disablement
7. Gratuity for minor disablement
8. Constant attendance allowance
9. Exceptionally severe disablement allowance
10. Severe disablement occupational allowance
11. Clothing allowance
12. Unemployability allowances
13. Invalidity allowance
14. Comforts allowance
15. Allowance for lowered standard of occupation
16. Age allowance
17. Treatment allowance

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to *The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- 18. Abstention from work following treatment in a hospital or similar institution
- 19. Part-time treatment allowance
- 20. Mobility Supplement
- 21. Medical expenses

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### ENTITLEMENT OF RECIPIENTS OF DIFFUSE MESOTHELIOMA LUMP SUMS

- 21A Entitlement of recipients of diffuse mesothelioma lump sums to other awards

## PART III

### AWARDS IN RESPECT OF DEATH

- 22. General conditions for Part III
- 23. Pensions to surviving spouses and surviving civil partners
- 24. Pensions to dependants who lived as spouses or civil partners
- 25. Rent allowance to surviving spouses, surviving civil partners and dependants who lived as spouses or civil partners, who have children
- 26. Elderly persons allowance
- 27. Temporary allowances
- 28. Allowances for children under the child's age limit
- 29. Pensions for orphans under the child's age limit
- 30. Award for children who have attained the child's age limit
- 31. Awards to or in respect of ineligible members of the families of unemployable pensioners
- 32. Funeral expenses
- 33. Relationships subsequent to the award of a pension

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### CLAIMS

- 34. Making of claims
- 35. Cases where claims are not required
- 36. Withdrawal of Claims
- 37. Date of claim

## PART V

### ADJUDICATION

- 38. Interpretation of Part V
- 39. Administration of this Order
- 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
- 41. Entitlement where a claim is made in respect of a disablement, or death occurs, more than 7 years after the termination of service
- 42. Determination of degree of disablement
- 43. Certification
- 44. Review of decisions, assessments and awards

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## PART VI PAYMENT

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48. Direct credit transfer
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56. Abatement of awards in respect of social security benefits
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58. Refusal of treatment
59. Serious negligence or misconduct
60. Failure to draw pension
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## PART VIII MISCELLANEOUS PROVISIONS

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- Signature

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## SCHEDULE 1 — DISABLEMENT DUE TO SERVICE IN THE ARMED FORCES

### PART I — GROUPING OF MEMBERS OF THE ARMED FORCES ACCORDING TO RANK OR STATUS

1. In this Schedule— (a) references to a Group shall be...
2. The Groups referred to in the foregoing paragraph comprise:— GROUP1:

—...

### PART II — RATES OF RETIRED PAY, PENSIONS, GRATUITIES AND ALLOWANCES

### PART III — GRATUITIES PAYABLE FOR MINOR INJURIES

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PART IV

PART V — ASSESSMENT OF DISABLEMENT CAUSED BY SPECIFIED INJURIES AND OF CERTAIN OTHER DISABLEMENTS

PART VI — ASSESSMENT OF DISABLEMENT IN RESPECT OF NOISE INDUCED SENSORINEURAL HEARING LOSS

SCHEDULE 1A — DIFFUSE MESOTHELIOMA LUMP SUMS

1. Interpretation
2. Entitlement to diffuse mesothelioma lump sum
3. Election to receive diffuse mesothelioma lump sum
4. Period for making an election
5. Calculation of the diffuse mesothelioma lump sum
6. Payment of diffuse mesothelioma lump sum
7. Circumstances in which a person may be required to repay

SCHEDULE 2 — DEATH DUE TO SERVICE IN THE ARMED FORCES

PART I — GROUPING OF MEMBERS OF THE ARMED FORCES ACCORDING TO RANK OR STATUS

1. In this Schedule— (a) references to a Group shall be...
2. The Groups referred to in the foregoing paragraph comprise:— GROUP...

PART II — RATES OF PENSIONS AND ALLOWANCES

PART III

SCHEDULE 3 — COMMENCING DATES OF AWARDS

1. (1) Subject to the following provisions of this Schedule, an...
2. (1) In a case to which section 168 of the...
3. Where an award is made pursuant to a successful appeal...
4. Where an award or an adjustment of an award is...
5. Where a claimant satisfies the Secretary of State that—
6. (1) Where, upon a review of a decision rejecting a...
7. Where a decision, which falls to be reviewed in the...
8. Where, either upon review of a decision rejecting a claim...
9. Notwithstanding paragraph 1(7), where an award is made under article...
10. Except in a case to which paragraph 6, 7 or...
11. Where the Secretary of State reviews a decision which was...
12. Paragraphs 4 and 8 apply to a decision of the...

SCHEDULE 4 — TRANSITORY PROVISIONS

PART I — CONTINUATION OF TRANSITORY PROVISIONS IN SCHEDULE 5 TO THE SERVICE PENSIONS ORDER 1983

1. Interpretation of Part I
2. Pensions for unmarried dependants of deceased disablement pensioners under a 1946 instrument
3. Continuation of pensions for unmarried dependants of deceased pensioners under a 1946 instrument
4. Withholding or reduction of disablement pension under a 1949 instrument
5. Transitional provision on abolition of killed in action gratuities
6. Assessment of specified disablement under the 1964 instruments

PART II — CONTINUATION OF SAVINGS IN THE 1992 ORDER AND THE 1993 ORDER

7. Savings provisions made by the 1992 Order in respect of articles 12, 18, 23 and 53 of the Service Pensions Order 1983

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8. Savings provision made by the 1993 Order in respect of articles 13, 38, 40 and 41 of the Service Pensions Order 1983
  - PART III — CONTINUATION OF TRANSITIONAL PROVISIONS IN THE 1996 ORDER
9. (1) Notwithstanding the revocation of the Naval, Military and Air...

#### SCHEDULE 5 — REVOCATIONS

#### SCHEDULE 6 — INTERPRETATION

##### PART I — WARRANTS AND ORDERS

##### PART II — GENERAL

#### Explanatory Note

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- Sch. 1 Pt. 3 table 1 substituted by [S.I. 2024/191 Sch. 2 table 1](#)
- Sch. 1 Pt. 3 table 2 substituted by [S.I. 2024/191 Sch. 2 table 2](#)
- Sch. 1 Pt. 2 table substituted by [S.I. 2024/191 Sch. 1 table](#)
- Sch. 1 Pt. 4 table substituted by [S.I. 2024/191 Sch. 3 table](#)
- Sch. 2 Pt. 3 table substituted by [S.I. 2024/191 Sch. 5 table](#)
- Sch. 2 Pt. 2 table 1 substituted by [S.I. 2024/191 Sch. 4 table 1](#)
- Sch. 2 Pt. 2 table 2 substituted by [S.I. 2024/191 Sch. 4 table 2](#)
- Sch. 2 Pt. 2 table 3 substituted by [S.I. 2024/191 Sch. 4 table 3](#)
- Sch. 2 Pt. 2 table 4 substituted by [S.I. 2024/191 Sch. 4 table 4](#)
- Sch. 2 Pt. 2 table 5 substituted by [S.I. 2024/191 Sch. 4 table 5](#)
- Sch. 2 Pt. 2 table 6 substituted by [S.I. 2024/191 Sch. 4 table 6](#)
- Sch. 2 Pt. 2 table 7 substituted by [S.I. 2024/191 Sch. 4 table 7](#)
- art. 10(2)(c) word omitted by [S.I. 2023/1214 reg. 11\(2\)\(a\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- art. 10(2)(ca) inserted by [S.I. 2023/1214 reg. 11\(2\)\(b\)](#)
- art. 56(3)(k) inserted by [S.I. 2024/191 art. 3](#)