

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014. 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

SCHEDULE 2

CONTRARY PROVISION

PART 3

ENACTMENTS ETC. (GENERAL)

Provision to which Schedule 1 is subject

5.—(1) Paragraph 1(1) and (2) of Schedule 1 have effect subject to sub-paragraph (2) of this article.

(2) In applying 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⁾ for the purposes of calculating death benefits payable under rules E1 and E2, 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.

Commencement Information

II Sch. 2 para. 5 in force at 16.12.2014, see [art. 1\(2\)](#)

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

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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. 6(1A) inserted by [S.I. 2019/1514 reg. 10\(3\)\(b\)](#)