This Statutory Instrument has been made in consequence of a defect in SI 2004/708 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2007 No. 1350

PENSIONS

The Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions (Correction of 2004 Uprating) Order 2007

Made - - - -	*2nd May 2007*
Laid before Parliament	*9th May 2007*
Coming into force - -	*4th June 2007*

At the Court at Buckingham Palace, the 2nd day of May 2007

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 12(1) and 24(3) of the Social Security (Miscellaneous Provisions) Act 1977(**a**) 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 (Correction of 2004 Uprating) Order 2007 and shall come into force on 4th June 2007.

(2) In this Order:-

(a) "the principal Order" means the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983(**b**);

(b) the "2004 Amending Order" means the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions (Amendment) Order 2004(**c**);

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

(**b**) S.1. 1983/883 as amended by S.I. 1983/1116, 1521, 1984/1154, 1687, 1985/1201, 1986/592, 1987/165, 1988/248, 2248, 1989/156, 1990/250, 1308, 1991/766, 1992/710, 3208, 1993/598, 1994/772, 1906, 1995/766, 1996/732, 1638, 2882, 1997/286, 1999/294, 2000/252, 2001/409, 2002/792, 2003/434, 2004/708, 2005/851, 1471, 3187 and 2006/303. The principal Order was repealed by the Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 2006, S.I. 2006/606.

(**c**) S.I. 2004/708.

(c) "entry" means an entry in Table 1 or Table 2 of Part III of Schedule 1 of the principal Order; and

(d) "gratuity" means a payment in respect of an entry, where the amount of that payment was determined by reference to the 2004 Amending Order.

Additional sums payable by way of further gratuity

2. Table 1 and Table 2 of the Schedule to this Order specify, in respect of each entry, the additional sum payable to any individual who received a gratuity.

Christine Cook
Deputy Clerk of the Privy Council

SCHEDULE

Article 2

Table 1

ADDITIONAL SUMS PAYABLE FOR MINOR INJURIES SPECIFIED IN TABLE 1 OF PART III OF SCHEDULE 1 TO THE PRINCIPAL ORDER

Minor Injury specified in Table 1 of Part III of Schedule 1 to the Principal Order	*Assessments*	*Additional Sum payable*
Description of Injury	Per cent.	£
For the loss of:		
A. FINGERS –		
Index finger—		
More than 2 phalanges including loss of whole finger	14	104
More than 1 phalanx but not more than 2 phalanges	11	84
1 phalanx or part thereof	9	70
Guillotine amputation of tip without loss of bone	5	42
Middle finger—		
More than 2 phalanges including loss of whole finger	12	91
More than 1 phalanx but not more than 2 phalanges	9	70
1 phalanx or part thereof	7	56
Guillotine amputation of tip without loss of bone	4	35
Ring or little finger—		
More than 2 phalanges including loss of whole finger	7	56
More than 1 phalanx but not more than 2 phalanges	6	49
1 phalanx or part thereof	5	42
Guillotine amputation of tip without loss of bone	2	21
B. TOES —		
Great toe—		

Through metatarso-phalangeal joint	14	104
Part, with some loss of bone	3	28
1 other toe—		
Through metatarso-phalangeal joint	3	28
Part, with some loss of bone	1	0
2 toes, excluding great toe—		
Through metatarso-phalangeal joint	5	42
Part, with some loss of bone	2	21
3 toes, excluding great toe—		
Through metatarso-phalangeal joint	6	49
Part, with some loss of bone	3	28
4 toes, excluding great toe—		
Through metatarso-phalangeal joint	9	70
Part, with some loss of bone	3	28

Table 2

ADDITIONAL SUMS PAYABLE TO MEMBERS OF THE ARMED FORCES FOR DISABLEMENT ASSESSED AT LESS THAN 20 PER CENT. NOT BEING A MINOR INJURY SPECIFIED IN TABLE 1 OF THE PRINCIPAL ORDER

	Estimated duration of the disablement within the degree referred to								
Groups 1-15	*Temporary less than a year*			*Temporary more than a year*			*Indeterminate*		
	Per cent.			Per cent.			Per cent.		
	1-5	6-14	15-19	1-5	6-14	15-19	1-5	6-14	15-19
	£	£	£	£	£	£	£	£	£
Additional sum	0	12	23	12	26	45	35	78	0

EXPLANATORY NOTE

(This note is not part of the Order)

The Naval, Military and Air Forces etc. (Disablement and Death) Service Pensions Order 1983 has been amended each year to provide for increases to be made to the rates of gratuities and pensions payable under that Order. Errors occurred in the way in which Table 1 and Table 2 of Part III of Schedule 1 to that Order were amended by the Naval, Military and Air Forces (Disablement and Death) Service Pensions (Amendment) Order 2004. These errors resulted in the making of gratuity payments pursuant to those Tables which, in some cases, were lower than intended. This Order corrects the position by providing for the payment of a single additional sum to persons who received a gratuity payment determined by reference to the rates contained in the 2004 Amending Order. The total of the additional sum and the gratuity originally paid equates to the correct amount.

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.

£3.00

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E0706 5/2007 170706 19585