

Appendix C

The Housing Benefit and Council Tax benefit (War Pension Disregards) Regulations 2007 (as amended).

THE SCHEDULE Regulations 2 and 3 War disablement and war widow's pensions

PART 1 War disablement pensions 1. The war disablement pensions prescribed are— (a) any retired pay or pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003(a); (b) any retired pay or pension payable, to a member of the armed forces of the Crown in respect of a disablement which is attributable to service, under— (i) an Order in Council made under section 3 of the Naval and Marine Pay and Pensions Act 1865(b), (ii) the Army Pensions Warrant 1977(c), (iii) any order or regulations made under section 2 of the Air Force (Constitution) Act 1917(d), (iv) any order or regulations made under section 4 of the Reserve Forces Act 1996(e), (v) any instrument amending or replacing any of the instruments referred to in paragraphs (i) to (iv), or (vi) any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown; and (c) a payment made under article 14(1)(b) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2005(f).

PART 2 War widow's pensions 2. The war widow's pensions prescribed are— (a) any pension or allowance payable to a widow, widower or surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person; (b) a pension payable, to a widow, widower or surviving civil partner of a member of the armed forces of the Crown in respect of death which is attributable to service, under— (i) an Order in Council made under section 3 of the Naval and Marine Pay and Pensions Act 1865, (a) 2003 c. 1. Subsection (2) was inserted by section 19(4) of the Finance Act 2005 (c. 7). (b) 1865 c. 73 (28 & 29 Vict). Section 3 was amended by the Armed Forces Act 2006 (c. 52), Schedule 16, paragraph 2 and by the Armed Forces (Pension and Compensation) Act 2004 (c. 32), section 4. (c) This is available from The Stationery Office. (d) 1917 c. 51 (7 & 8 Geo 5). Section 2 was amended by the Armed Forces Act 2006, Schedule 16, paragraph 13. (e) 1996 c. 14. Section 4 was amended by the Armed Forces Act 2006, Schedule 14, paragraph 26. (f) S.I. 2005/439. 3 (ii) the Army Pensions Warrant 1977, (iii) any order or regulations made under section 2 of the Air Force (Constitution) Act 1917, (iv) any order or regulations made under section 4 of the Reserve Forces Act 1996, 5 (v) any instrument amending or replacing any of the instruments referred to in paragraphs (i) to (iv), or (vi) any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown.