



Ministry of Defence

DBS/SEC/FOI2015/01483

Defence Business Services
Room F10
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Gloucester
GL13 1HW

E-mail: DBS RES-Secretariat (MULTIUSER)

Email: [REDACTED]

6 March 2015

Dear [REDACTED]

Thank you for your email of 7 February to Veterans UK seeking information about the Armed Forces Pension Schemes (AFPS). Your email has been treated as a request for information under the Freedom of Information Act 2000.

You asked:

1. *Is there scope under either the current or previous occupational pension schemes to impose any pension or benefits forfeiture or sanction on scheme members (of any status) for professional transgression and/or criminal misconduct?*
2. *If there is, what are the guidelines and are they promulgated?*
3. *If there is, who is responsible for considering whether action for sanction or forfeiture be considered?*
4. *If there is, have any members been considered for a sanction or forfeiture?*
5. *If there is, please provide me with details of those sanctions (by year, offence and nature of sanction).*
6. *If there is, are dependent members subsequently barred from approaching any relevant occupational welfare fund intended to alleviate financially distressed dependents, for financial relief?*
7. *Please also provide me with details of the officers, advisers and trustees of the scheme in its various guises, for the past 10 years.*
8. *I would be grateful if you would provide me with the following annual data of the scheme, for each year over the past ten years.*
 - a) *The number of;*
 - i) *active members*
 - ii) *deferred members*
 - iii) *members in receipt of benefit*
9. *If there have been sanctions or forfeiture, please tell me whether the action was applied to an active member, a deferred*

These are the two main schemes for regular members of the Armed Forces, AFPS 75 and AFPS 05 and similar provisions for the Reserve Forces. It is not possible to provide a detailed response to each question for each scheme furthermore, much of the information you are seeking is contained in the *AFPS Annual Report and Accounts* which can be found at: <https://www.gov.uk/government/publications/armed-forces-pension-scheme-annual-accounts-2012-13>.

Specific information on forfeiture can be found in the *AFPS 1975 Amendment Orders 2010* (for all three Services) - *Part J* at: <https://www.gov.uk/government/publications/armed-forces-pension-scheme-1975-regulations> and the *AFPS 2005 Statutory Instrument 438/2005 – Part J* at: <https://www.gov.uk/government/collections/armed-forces-pension-scheme-05>, also promulgated in *AFPS05 Joint service Publication 764 – Part 1 Chapter 9* <https://www.gov.uk/government/collections/armed-forces-pension-scheme-05>.

The legislation is also reflected in *The Queen's Regulations* of all three Services. Any cases would be considered on a case by case basis by the Service Authorities within this legal framework.

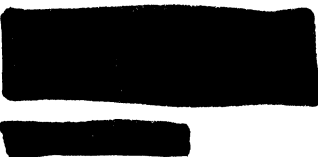
In relation to actual cases, there are currently no recorded cases where a pension has been sanctioned or forfeited.

In terms of the support that could be provided if the member's pension was forfeited family members of Armed Forces veterans can seek assistance from the Veterans Welfare Service whose caseworkers offer professional help and guidance and work closely with statutory and non-statutory bodies.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, 1st Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website: <http://www.ico.org.uk>.

Yours sincerely,

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