



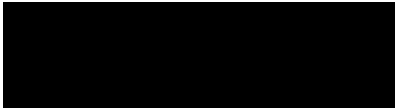
Ministry  
of Defence

**Defence Business Services**

Secretariat  
Room 6303  
Tomlinson House  
Norcross  
Thornton-Cleveleys  
FY5 3WP

Ref: FOI2022/04209

Email: [DBSRES-Secretariat@mod.gov.uk](mailto:DBSRES-Secretariat@mod.gov.uk)



21 April 2022

Dear 

Thank you for your email of 29 March 2022 to the Ministry of Defence (MOD) requesting the following information:

*"I'm seeking the following information with regards to the following MOD defined benefit pension scheme(s): • 1975 scheme • 2005 scheme • 2015 scheme*

*The information I am seeking is: a) The number of pensions scheme members that have exceeded the annual allowance in the 18/19 and 19/20 tax years 20/21 and as much data as possible for 21/22. Please disclose the number for each tax year separately. b) How many scheme pays applications the pension scheme has received and how many it has accepted in respect of annual allowance tax charges, in the four tax years."*

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence and I can confirm that some of the information in scope of your request is held. However, some of the information you have requested falls entirely within the scope of an absolute exemption under Section 21 (Information reasonably accessible by other means) of the FOIA. Section 21(1) has been applied, as the number of pension scheme members that have exceeded the annual allowance in the 18/19 and 19/20 tax years has previously been provided to you under FOI2021/02993 and is therefore reasonably accessible to you. Section 21 is an absolute exemption and as such, there is no requirement to consider the public interest in making a decision to withhold the information.

Additionally, in order to protect personal information governed by Data Protection Legislation, Section 40(2) of the FOIA has been applied to some of the information by supplementing numbers less than 5 with a tilde (~). Section 40 is an absolute exemption and there is therefore no requirement to consider the public interest in making a decision to withhold the information.

Please find the enclosed Annex A which provides the number of pension scheme members that have exceeded the annual allowance in 2020/21, the number of Scheme Pays cases accepted in 2020/21 and the updated number of Scheme Pays cases accepted in 2018/19 and 2019/20. Also included is the number of tapered non-exceeders who were also sent a Pensions Savings Statement despite not exceeding the standard £40,000 Annual Allowance limit. This is because their Service income indicated that they would be subject to a reduced (tapered) Annual Allowance limit. The number of tapered non-exceeders reduced to almost zero in tax year 2020/21 because the income thresholds which trigger tapering were increased by £90,000 w.e.f. tax year 2020/21, which took almost all members who did not exceed the standard £40,000 Annual Allowance limit out of scope for tapering.

The Annual Allowance is assessed retrospectively, starting after each tax year ends. As the 2021/22 tax year only ended on 5 April 22, no assessments have yet been completed, meaning no information for 2021/22 is held.

Under Section 16 (Advice and Assistance) I should explain that the number of Scheme Pays cases for 2020/21 is not final yet. The HMRC deadline for “mandatory” Scheme Pays is 31 July 2022, however the Armed Forces Pension Scheme (AFPS) accepts Scheme Pays applications after this date on a “voluntary” basis (the difference being that “mandatory” scheme pays means the AFPS is jointly and severally liable with the member for payment of the tax due to HMRC with mandatory scheme pays, whereas with “voluntary” scheme pays the member is solely responsible).

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.gov.uk](mailto:CIO-FOI-IR@mod.gov.uk)). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

A black rectangular redaction box covering the signature of the sender.

Defence Business Services (Secretariat)

**Armed Forces Pension Scheme  
Annual Allowance and Scheme Rates – Tax Years 2018-19, 2019-20 and 2020-21**

<b>Annual Allowance Exceeders</b>	<b>Tax Year 20-21</b>
AFPS75 Transitional Protection	180
AFPS05 Transitional Protection	80
AFPS15 (Pure)	30
AFPS15 with Accrued Rights in AFPS75	3040
AFPS15 with Accrued Rights in AFPS05	455
AFPS15 with Accrued Rights in RFPS	~
<b>TOTAL</b>	<b>3790</b>

<b>Annual Allowance - Tapered Non-Exceeders</b>	<b>Tax Year 20-21</b>
AFPS75 Transitional Protection	0
AFPS05 Transitional Protection	~
AFPS15 (Pure)	0
AFPS15 with Accrued Rights in AFPS75	0
AFPS15 with Accrued Rights in AFPS05	0
AFPS15 with Accrued Rights in RFPS	0
<b>TOTAL</b>	<b>~</b>

<b>Annual Allowance - Tapered Non-Exceeders</b>	<b>Tax Year 18-19</b>	<b>Tax Year 19-20</b>	<b>Tax Year 20-21</b>
AFPS75 Transitional Protection	60	90	50
AFPS05 Transitional Protection	35	45	25
AFPS15 (Pure)	~	~	~
AFPS15 with Accrued Rights in AFPS75	375	825	625
AFPS15 with Accrued Rights in AFPS05	50	105	90
AFPS15 with Accrued Rights in RFPS	0	0	~
<b>TOTAL</b>	<b>520</b>	<b>1070</b>	<b>795</b>

\*In line with departmental policy ~ represents 5 or fewer, values have been rounded to the nearest 5.