



**Defence Business Services**  
Secretariat  
Room 6303  
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Lancashire FY5 3WP

Ref: FOI2022/07071

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

7 July 2022

Dear [REDACTED]

Thank you for your email of 11 June 2022 to the Ministry of Defence (MOD), seeking information about the 2006 amendment to the Service Pension Order (SPO).

You requested the following information:

*"We have applied the legal framework set out in the relevant articles of The Naval, Military and Air Forces (Disablement and Death) Service Pensions Order 2006 (as amended), hereinafter referred to as SPO. We have assessed the degree of disablement by making a comparison between the condition of the appellant and the condition of a normal healthy person of the*

*Can you please supply under the FOI Act exactly which paragraph and Article number this statement appears in the 2006 amendment,"*

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 MOD and I can confirm that all information in scope of your request is held.

The information you have requested for question one falls entirely within the scope of an absolute exemption under Section 21 of the FOIA as it is reasonably accessible by other means. As Section 21 is an absolute exemption, there is no requirement to consider the public interest in making the decision to withhold the information.

Under Section 16 (Advice and Assistance) you may be interested to know that the paragraph requested appears in Article 42(2)(a) of the 2006 amendment to the SPO. A link the specific article can be found below:

<https://www.legislation.gov.uk/ukxi/2006/606/article/42>

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