



Ministry  
of Defence

## **Consultation Response**

# **The Armed Forces Pensions (Amendment) Regulations 2026**

Amendment to the Armed Forces Pension Regulations 2014 relating to awards made to Service persons discharged on medical grounds

May 2026

# FORWARD

1. This is the response to the consultation paper '**The Armed Forces Pensions (Amendment) Regulations 2026**: proposed amendment to the Armed Forces Pension Regulations 2014 relating to awards made to Service persons discharged on medical grounds'. The consultation was open between 15 December 2025 until 13 February 2026.
2. The consultation paper invited responses to recommendations for changes related to awards made to Service persons discharged on medical grounds in the Armed Forces Pension Scheme 2015 and Early Departure Payments scheme 2015. The consultation was circulated directly to relevant veterans' organisations via email to invite comments and feedback.
3. The Consultation set out three proposed policy changes:
  - (a) Ensure medically discharged members receiving an EDP in lieu of a Tier 1 awards have a right of review:
  - (b) Align the payment date for Tier 2 awards with Tier 3 awards in cases of Deterioration:
  - (c) Clarify the criteria for Tier 2 awards to ensure consistency and fairness.
4. These amendments were designed to address inconsistencies, improve clarity, and ensure equitable outcomes for all affected members. This consultation also explained the reason for the substantive amendments, clarified how it will be made and sought comments on specific aspects of those changes.
5. A total of two responses to the consultation paper were received. Both responses were from Veterans organisation. Both respondents supported and agreed with the proposed changes to the legislation.

## BACKGROUND

6. The Armed Forces Pension Scheme 2015 (AFPS 15) and the Early Departure Payment Scheme 2015 (EDP 15) provide financial support to members of the Armed Forces, including those medically discharged before reaching Normal Pension Age. The Ministry of Defence (MOD) has identified areas in the current regulations that require amendment to ensure fairness and consistency.
7. The Armed Forces Pension Scheme Regulations 2014 ([SI 2014/2336](#)) govern the payment of pensions based on Career Average Revalued Earnings (CARE) and other benefits. Part 5 of these regulations outlines provisions for ill-health awards and reviews for medically discharged members.
8. The Early Departure Payment Scheme Regulations 2014 ([SI 2014/2328](#)) provide lump sums and periodic payments to members who leave service early, including those discharged on medical grounds. The Early Departure Payment Scheme Order 2005 ([SI 2005/437](#)) makes similar provision for transition members with continuity of service in relation to service before their transition date.
9. Both AFPS 15 and EDP 15 use a tiered structure to determine benefits based on the severity of a member's medical condition and its impact on their ability to work.
10. MOD sought views from stakeholders on policy to be implemented by the legislative amendments proposed to the Armed Forces Pensions Regulations 2014 (and EDP regulations / orders). The following questions were asked to gather feedback on the proposed amendments:
  - (a) **Amendment One – Extending scope of Members' Right to Request Review of a Tier 1 award:** Do you agree that MOD should extend the right to request a review of Tier 1 awards to EDPs in lieu? If not, please provide your reasoning and any alternative suggestions.
  - (b) **Amendment Two – Tier 2 Review Payment Date:** Do you agree with the proposed change to align the payment date of Tier 2 awards (granted on the grounds of deterioration from Tier 1) with Tier 3 awards, making them payable from the date the review was requested rather than the date of discharge? If not, what alternative approach would you suggest to ensure fairness and consistency?
  - (c) **Amendment Three – Tier 2 Ill-Health Condition:** Do you agree with the proposed amendment to the Tier 2 ill-health condition? If not, please provide your feedback on how this could be improved?
11. The consultation was aimed at:
  - Members of the Armed Forces Pension Scheme 2015 (AFPS 15, including Transition members with Continuity of Service)

- Individuals who have applied for a review of their ill-health award
- Stakeholders with an interest in Armed Forces pensions and ill-health awards (Annex A).

# CHAPTER 1

## **Armed Forces Pensions (Amendment) Regulations 2026 Consultation**

1. Comments raised in response to the questions asked in the consultation are detailed in this chapter.

### **Amendment One – Extending scope of Members’ Right to Request Review of a Tier 1 award**

2. **Question** - Do you agree that MOD should extend the right to request a review of Tier 1 awards to EDPs in lieu? If not, please provide your reasoning and any alternative suggestions.

#### **Responses**

3. Two organisations responded. Both were supportive of this proposal and one added that they are pleased this proposal will be backdated to 1 April 2015.

#### **MOD Response**

4. MOD has considered the responses that have been made by both organisations. As these responses do not impact the proposed amendments, MOD will proceed as outlined in the Consultation.

### **Amendment Two – Tier 2 Review Payment Date**

5. **Question** - Do you agree with the proposed change to align the payment date of Tier 2 awards (granted on the grounds of deterioration from Tier 1) with Tier 3 awards, making them payable from the date the review was requested rather than the date of discharge? If not, what alternative approach would you suggest to ensure fairness and consistency?

#### **Responses**

6. Both respondents agreed with the proposal. An organisation further noted that there may be exceptional medical or other circumstances which might amount to reasonable grounds for there being a delay between a deterioration in health whilst in receipt of a Tier 1 award and a review being requested. They considered that, in that context, where a dispute exists with the date of review, an individual may make an appeal through the IDRP.

#### **MOD Response**

7. MOD has considered the responses. The amendments to the legislation do not provide for any discretion as to the date of the request for review.
8. MOD has considered whether to introduce such a discretion and decided that it would not be appropriate.

9. Whilst MOD's policy proposals were correctly outlined in the consultation paper, two of the scenarios in the document (at paragraphs 1.31 and 1.32) did not accurately reflect the policy intent. These covered cases where the member requests a review due to deterioration and suggested that in such cases the original award (T1/EDP in lieu) would be offset against the new T2 pension payable from date of review request. In fact, the policy intent is that amounts paid before the date of the review request will not be recovered: the award was correct at the time it was made.

### **Amendment Three – Tier 2 Ill-Health Condition**

10. **Question** - Do you agree with the proposed amendment to the Tier 2 ill-health condition? If not, please provide your feedback on how this could be improved?

#### **Responses**

11. Both organisations agreed with the proposal. One organisation considered this amendment to be fair and reasonable and acknowledged there should be no detriment to members as those who do not have the capacity for any gainful employment would be eligible for a Tier 3 award.

#### **MOD Response**

12. MOD have considered the responses. Neither of the responses impact the proposed amendments, thus MOD will proceed as outlined in the Consultation document.

# Chapter 2

## Next Steps

13. This concludes the consultation process. MOD will now proceed with the process of making the legislation and laying it in Parliament.
14. MOD will now also develop an announcement to communicate the amendments to the members.

# Annex A

MOD engaged with relevant stakeholders across the organisation and HMG in formulating the consultation document and inviting them for comments. The list of stakeholders consulted is below:

The Confederation of Service Charities  
The Royal British Legion  
The Soldiers, Sailors, Airmen and Families Association  
The Royal Navy and Royal Marines Charity  
ABF The Soldiers Charity  
The RAF Benevolent Fund  
The RAF Association  
The Navy Families Federation  
The Army Families Federation  
The RAF Families Federation  
The War Widows' Association  
The Forces Pension Society  
The White Ensign Association  
The Veterans Advisory and Pensions Committee  
Armed Forces Pension Schemes, Pension Board  
Armed Forces Pension Schemes, Scheme Advisory Board  
The Pension Regulator  
BLESMA  
GAD