



FIGHTING FOR THE FORCES
AND THEIR FAMILIES

CHILDREN'S PENSIONS IN THE EVENT OF A MEMBER'S DEATH

Which scheme would pay the pension?

There are currently three pension schemes to which members of the Regular Armed Forces can belong:

- AFPS 75 for those who joined before 6 April 2005;
- AFPS 05 for those who joined on or after 6 April 2005, or who chose to transfer to it as part of the Offer To Transfer in 2006; or
- AFPS 15 for those who joined on or after 1 April 2015.

Members of AFPS 75 or AFPS 05 who were over age 48 on 1 April 2015 remained on those schemes: everybody else was transferred to AFPS 15 with protected benefits in their 'old' scheme. This means that the majority of members will have benefits in more than one scheme and, if the deceased had benefits in more than one scheme, the children may have too.

AFPS 75: the Criteria

The child must be financially dependent upon the member and:

- under the age of 17; or
- under the age of 23 and in full time education or vocational training.

Further, the child must normally be the child of a marriage or civil partnership which took place before the member left the service. There are two exceptions to this:

- if the member dies in service. His or her child will be eligible irrespective of the absence of a marriage or civil partnership; and
- if the child is an unborn child. The child must be born within 9 months of the member's death.

AFPS 05 and AFPS 15: the Criteria

The child must be financially dependent upon the member and:

- Under the age of 18; or
- Under the age of 23 and in full time education or vocational training.

There are no marriage criteria. To be entitled to a pension, an unborn child must be born within 12 months of the member's death.

For **all schemes**, the only time a child's pension is payable beyond age 23 is if the child is unable to undertake gainful employment due to mental or physical disability suffered before age 23. This is an HMRC rule – not MOD being mean!



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What about 'gap years'?

The rules allow for the pension to be suspended for one academic year to allow for a gap year. It is clearly better to apply for the suspension rather than have the pension cease and then argue for its reinstatement.

The sums involved

Where there is an adult AFPS 75 pension in payment the remaining 50% of the member's entitlement is available to be shared by the eligible children. Because the adult pension for **AFPS 05 and AFPS 15** is 62.5% of the member's pension entitlement, 37.5% remains for the eligible children. In each scheme where there is an adult pension in payment, no child can receive more than 25% of the member's entitlement.

In **all three schemes**, where there is no adult pension in payment, and the children are not living with a parent or step-parent, the whole pension is available to be divided between the children, with no child receiving more than 33.33% of the member's pension entitlement.

What happens if one of the eligible children is no longer eligible (eg. has left full time education)?

The pension for the remaining children is recalculated to ensure that they get the most the scheme will allow.

Where can I get more information?

MOD Booklets:

Armed Forces Pension Scheme 1975 Family Benefits

Armed Forces Pension Scheme 2005: Family Benefits

The Armed Forces Pension Scheme 2015 Your Pension Scheme Explained

Veterans UK/DBS website:

<https://www.gov.uk/government/organisations/veterans-uk>