

## 1981 No. 320

## FIRE SERVICES

Firemen's Pension Scheme (Amendment No. 2) Order  
(Northern Ireland) 1981

Made . . . . . 2nd October 1981

Coming into operation . . . . . 20th November 1981

The Department of the Environment in exercise of the powers conferred by section 17 of the Fire Services Act (Northern Ireland) 1969(a) and now vested in it(b) and of every other power enabling it in that behalf and with the approval of the Department of the Civil Service(c) hereby makes the following Order:

## PART I

## CITATION, OPERATION AND INTERPRETATION

*Citation*

1. This Order may be cited as the Firemen's Pension Scheme (Amendment No. 2) Order (Northern Ireland) 1981.

*Commencement and effect*

2. This Order shall come into operation on 20th November 1981 and shall have effect—

- (a) for the purposes of Articles 4 and 5, as from 30th September 1978
- (b) for the purposes of Article 6, as from 6th November 1978
- (c) for the purposes of Article 7, as from 1st January 1974
- (d) for the purposes of Article 8, as from 6th April 1978.

*Interpretation*

3. In this Order references to the Scheme of 1973 are references to the provisions of the Firemen's Pension Scheme (Northern Ireland) 1973 set out in Appendix 2 to the Firemen's Pension Scheme Order (Northern Ireland) 1973(d), other than Articles 12 D(1), 50, 51, 52, Part V of Schedule 2, Part IV of Schedule 3 and Schedule 6 thereof.

## PART II

## PENSIONABLE PAY

*Pensionable pay of chief fire officer*

4. The pensionable pay for the purposes of the Scheme of 1973 of a chief fire officer for any period after 30th September 1978 and before 1st July 1979 shall be 91.41 per cent. of the pensionable pay to which a chief fire officer would have been

(a) 1969 c. 13 (N.I.) as amended by S.I. 1973/601 (N.I. 9) Article 7

(b) S.R. & O. (N.I.) 1973 No. 504 Article 5(b)

(c) Formerly a function of the Department of Finance S.R. 1976 No. 281

(d) S.R. & O. (N.I.) 1973 No. 393 as amended by S.R. 1975 No. 358, 1976 No. 216, 1978 Nos. 24 and 100, 1979 Nos. 88, 310 and 387 and 1980 Nos. 62 and 208

entitled for a corresponding period beginning 30th June 1979, disregarding any increase in pay which took effect after 1st July 1979, if his circumstances had been identical to those of the chief fire officer in question during the earlier period.

*Pensionable pay for assistant chief fire officers*

5. The pensionable pay for the purposes of the Scheme of 1973 of an assistant chief fire officer for any period after 30th September 1978 and before 1st July 1979 shall be his pensionable pay for that period calculated without reference to this Article, increased by the percentage by which the pensionable pay for that period of the chief fire officer is increased by Article 4.

*Pensionable pay for other ranks of firemen*

6. The pensionable pay for the purposes of the Scheme of 1973 of a regular fireman of rank up to and including that of senior divisional officer for any period after 6th November 1978 and before 7th November 1979 shall be 2.77 per cent. greater than his pensionable pay for that period calculated without reference to this Article.

### PART III

#### GENERAL AMENDMENTS

*Provision having effect from 1st January 1974*

7. In paragraph 2(2) of Part VIII of Schedule 1 to the Scheme of 1973 for the words "sub-paragraph 1(a) or (b)" there shall be substituted the words "sub-paragraph 1(a), (b) or (c)".

*Provision having effect from 6th April 1978*

8. In paragraph 4(a) of Part III of Schedule 3 to the Scheme of 1973 for the words "Article 12(2)" there shall be substituted the words "Article 12B(2)".

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 2nd October 1981.

(L.S.)

*J. M. Irvine*

Assistant Secretary

The Department of the Civil Service hereby approves the foregoing Order.

Sealed with the Official Seal of the Department of the Civil Service for Northern Ireland on 2nd October 1981.

(L.S.)

*J. H. S. Gaw*

Assistant Secretary

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

Part II modifies Article 49 of the Firemen's Pension Scheme (Northern Ireland) 1973 (set out in Appendix 2 to the Firemen's Pension Scheme Order (Northern Ireland) 1973) which defines pensionable pay for firemen's pension purposes. Articles 4 to 6 of this Order modify that Article in its application to firemen serving in 1978 and 1979 when, because of financial constraints upon the Authority, the full implementation of pay increases to members of the brigade was delayed. In the case of the chief fire officer part of the increase which would have been paid on 1st October 1978 was, in fact, delayed until 1st July 1979 and this had a similar effect on assistant chief fire officers because of their pay relativity. In other cases, part of the increase which would have been paid on 7th November 1978 was, in fact, delayed until 7th November 1979. This Part ensures that the delay in implementing the pay increases does not affect pensions.

Part III amends the Scheme of 1973 — Articles 7 and 8 remedy two minor drafting omissions in the Firemen's Pension Scheme (Amendment) Order (Northern Ireland) 1979 [S.R. 1979 No. 88] with effect from 1st January 1974 and 6th April 1978 respectively.

Retrospection is authorised by section 17(3B) of the Fire Services Act (Northern Ireland) 1969.