

SCHEDULE 1

Amendment of the Firefighters' Compensation Scheme Order (Northern Ireland) 2007

Amendment of Schedule 1 (injury awards and duty-related compensation)

10.—(1) Schedule 1 is amended as follows.

(2) In Part 1 (calculation of awards for full-time service)—

(a) after paragraph 1, insert—

“1A.—(1) In the event that an award becomes payable in respect of a qualifying injury sustained in the course of employment in relation to which a person is or is eligible to be an active member in the 2015 Scheme, relevant service, in the Table, means the total of—

- (a) any relevant service in relation to the 2015 Scheme that relates to the person's scheme employment which is the same as, or most similar to, the scheme employment in respect of which the award is payable; and
- (b) if applicable, any relevant service in relation to the Firefighters' Pension Scheme or the New Firefighters' Pension Scheme that relates to the person's employment which is the same as, or most similar to, the employment in respect of which the award is payable.

(2) In the event that an award is payable to a person who is not an active member of the 2015 Scheme, or has elected not to make pension contributions under the New Firefighters' Pension Scheme or the Firefighters' Pension Scheme, when calculating an award payable under this scheme, the person's 'relevant service' is determined according to the pension scheme the person would have been eligible to be a member of when they sustained the qualifying injury.

(3) In sub-paragraph (2), “eligible to be a member” means a person's eligibility to be a member of any of the Firefighters' Pension Scheme, the New Firefighters' Pension Scheme and the 2015 Scheme, pursuant to article 2 (exclusive application to regular firefighters) of the Firefighters' Pension Scheme, article 4 (scheme membership) of Part 2 of the New Firefighters' Pension Scheme or regulation 16 of, or Schedule 2 to the 2015 Regulations, as the case may be.”;

- (b) in paragraph 1, in the headings in the Table, for “or, as the case may be, final pensionable pay” in both places substitute “final pensionable pay or final pay, as the case may be”;
- (c) in paragraph 2(1), after “as a firefighter” insert “(including, if rule 3 of Part 10 applies in his case, the aggregate of the pension to which he is entitled under article 15 of the Firefighters' Pension Scheme or article 12 of the New Firefighters' Pension Scheme or regulation 73 of the 2015 Regulations and the amount of the difference referred to in rule 3(3) of Part 10)”;
- (d) in paragraph 2(2), after “the New Firefighters' Pension Scheme”—
 - (i) where the words occur for the first time, insert “or the exercise of an option not to become an active member of the 2015 Scheme in accordance with Chapter 2 of Part 3 of the 2015 Regulations”;
 - (ii) where the words occur for the second time, insert “or regulation 121(3) of the 2015 Regulations or failed to exercise an option to become an active member of the 2015 Scheme in accordance with regulation 21 of the 2015 Regulations”;
- (e) in paragraph 2(3)(a), after “the New Firefighters' Pension Scheme”, insert “or regulation 117 (commutation of part of pension) or Chapter 6 (allocation of part of pension) of Part 5 of the 2015 Regulations”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (3) In Part 2 (calculation of awards for part-time service)—
 - (a) in paragraph 2(1), for “or, as the case may be, the final pensionable pay”, substitute “final pensionable pay or final pay, as the case may be”;
 - (b) after paragraph 2(2), insert—
 - “(3) Where the person is or is eligible to be an active member in the 2015 Scheme, “relevant service” in B, C and D means the total of the service referred to in paragraph 1A(1)(a) and (b) of Part 1 of Schedule 1.”.
- (4) In Part 3 (calculation of awards for retained or volunteer service), in paragraph 1, for “paragraph 1”, substitute “the table in paragraph 1 of Part 1 of this Schedule”;