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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Part 1 of these Regulations establishes a scheme for the payment of pensions and other benefits to firefighters in Northern Ireland from 1st April 2015. The scheme so established is a career average revalued earnings scheme.

Part 2 contains provisions appointing the Northern Ireland Fire and Rescue Service as “scheme manager” and permitting the delegation of the Department's and the scheme manager's functions under these Regulations. It makes provisions for the scheme manager to establish the Pension Board to assist it to comply with its legal obligations relating to the scheme and connected schemes. The Pension Board must have equal representation of employer representatives and member representatives. It also provides for the establishment of the Firefighters' Pension Scheme Advisory Board to advise the Department and Pension Board in relation to this scheme and connected schemes. Provision is made for the appointment of members to the Board and for its funding.

Part 3 provides for scheme membership. It sets out the key concepts of scheme employment and pensionable earnings. It contains eligibility and auto-enrolment provisions.

Part 4 provides for the establishment of a member's pension accounts in relation to a continuous period of pensionable service under this scheme. It also provides for the establishment of a pension credit member's account.

Part 5 provides for a member's entitlement to payment of retirement benefits including partial retirement benefits and ill-health benefits. It also provides for the assignment of benefits. It sets out the key concept of qualifying service.

Part 6 provides for death benefits payable to surviving adults and eligible children and for payment of lump sum benefits.

Part 7 provides for benefits for pension credit members.

Part 8 provides for the payment of contributions by members and employers.

Part 9 provides for payments to be made into and out of the Firefighters' Pension Fund.

Part 10 provides for making and receiving transfer payments.

Part 11 provides for actuarial valuations. It sets the employer cost cap and requires the Department to seek agreement from those affected as to the changes to the design of the scheme necessary to bring costs back to that level if valuation reports indicate that costs have varied by more than a margin specified in regulations made by the Department of Finance and Personnel. If agreement can not be reached the Department must make amendments to the scheme to vary the rate of accrual of benefits to bring the costs of the scheme back to the employer cost cap level.

Part 12 provides for the determinations of questions and appeals.

Part 13 contains supplementary provisions on payments of pensions, forfeiture and set off, payment and deduction of tax.

Schedule 1 makes provision for payments for added pension.

Schedule 2 makes transitional provision.

A full impact assessment has not been produced for these Regulations as no impact on the private or voluntary sector is foreseen.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Firefighters' Pension Scheme Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:**

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Pt. 1 reg. 3A inserted by [S.R. 2024/130 reg. 5\(2\)\(b\)](#)
- Pt. 1 reg. 3 words inserted by [S.R. 2024/130 reg. 5\(2\)\(a\)\(i\)](#)
- Pt. 1 reg. 3 words inserted by [S.R. 2024/130 reg. 5\(2\)\(a\)\(ii\)](#)
- Pt. 1 reg. 3 words inserted by [S.R. 2024/130 reg. 5\(2\)\(a\)\(iii\)](#)
- Pt. 5 reg. 79A(4) inserted by [S.R. 2024/130 reg. 5\(3\)\(b\)\(ii\)](#)
- Pt. 5 reg. 79A(4) inserted by [S.R. 2024/130 reg. 5\(3\)\(b\)\(ii\)](#)
- Pt. 5 reg. 79A(3) word substituted by [S.R. 2024/130 reg. 5\(3\)\(b\)\(i\)](#)
- Pt. 5 reg. 79A(3) word substituted by [S.R. 2024/130 reg. 5\(3\)\(b\)\(i\)](#)
- Pt. 5 reg. 79(4) words inserted by [S.R. 2024/130 reg. 5\(3\)\(a\)\(i\)](#)
- Pt. 5 reg. 79(4) words inserted by [S.R. 2024/130 reg. 5\(3\)\(a\)\(i\)](#)
- Pt. 5 reg. 79(4)(a) words omitted by [S.R. 2024/130 reg. 5\(3\)\(a\)\(ii\)](#)
- Pt. 5 reg. 79(4)(a) words omitted by [S.R. 2024/130 reg. 5\(3\)\(a\)\(ii\)](#)
- Pt. 6 reg. 86(1) words substituted by [S.R. 2024/130 reg. 5\(4\)\(a\)](#)
- Pt. 6 reg. 100(3)(4) words substituted by [S.R. 2024/130 reg. 5\(4\)\(b\)](#)
- Pt. 6 reg. 86(1) words substituted by [S.R. 2024/130 reg. 5\(4\)\(a\)](#)
- Pt. 6 reg. 100(3)(4) words substituted by [S.R. 2024/130 reg. 5\(4\)\(b\)](#)
- Pt. 8 reg. 119(2) words inserted by [S.R. 2024/130 reg. 5\(5\)\(a\)](#)
- Pt. 8 reg. 127(5) words inserted by [S.R. 2024/130 reg. 5\(5\)\(b\)\(ii\)](#)
- Pt. 8 reg. 119(2) words inserted by [S.R. 2024/130 reg. 5\(5\)\(a\)](#)
- Pt. 8 reg. 127(5) words inserted by [S.R. 2024/130 reg. 5\(5\)\(b\)\(ii\)](#)
- Pt. 8 reg. 127(5) words substituted by [S.R. 2024/130 reg. 5\(5\)\(b\)\(i\)](#)
- Pt. 8 reg. 127(5) words substituted by [S.R. 2024/130 reg. 5\(5\)\(b\)\(i\)](#)
- Sch. 2 Pt. 1 para. 3(2) words substituted by [S.R. 2024/130 reg. 5\(6\)\(a\)](#)
- Sch. 2 Pt. 1 para. 3(2) words substituted by [S.R. 2024/130 reg. 5\(6\)\(a\)](#)
- Sch. 2 Pt. 3 para. 18(3)(c) word omitted by [S.R. 2024/130 reg. 5\(6\)\(b\)](#)
- Sch. 2 Pt. 3 para. 18(3)(c) word omitted by [S.R. 2024/130 reg. 5\(6\)\(b\)](#)