

SCHEDULE

AMENDMENTS TO THE FIREMEN'S PENSION SCHEME

Schedule 1: Interpretation

26. In Part I of Schedule 1 (glossary of expressions)–

(a) in the meaning of “Regular firefighter”–

(i) after “29th February 1992” insert “but before 1st October 2004”; and

(ii) add at the end–

“In relation to any time on or after 1st October 2004, the expression means a whole-time or part-time member of a brigade, other than a retained or volunteer member of a brigade, appointed on terms under which he is, or may be, required to engage in firefighting or, without a break in continuity of such an appointment, may be required to perform other duties as appropriate to his role as a firefighter (other than, or in addition to, engaging in firefighting) and whose appointment is not a temporary one.”; and

(b) insert in the appropriate places in alphabetical order–

“Adoption leave	Leave under sections 75A and 75B of the Employment Rights Act 1996 ⁽¹⁾ (and ordinary adoption leave and additional adoption leave shall be construed accordingly).
“EEA State”	“EEA State” means a Member State, Norway, Iceland or Liechtenstein.
Independent qualified medical practitioner	A medical practitioner holding a diploma in occupational medicine or an equivalent qualification issued by a competent authority in an EEA State (for the purposes of this definition, “a competent authority” has the meaning given by the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003 ⁽²⁾) or being an Associate, a Member or a Fellow of the Faculty of Occupational Medicine ⁽³⁾ or an equivalent institution of an EEA State.
Maternity leave	In respect of any period prior to 22nd August 1996, leave under section 33 of the Employment Protection (Consolidation) Act 1978 ⁽⁴⁾ and in respect of any period on or after that date, leave under sections 71 and 73 of the Employment Rights Act 1996 ⁽⁵⁾ (and “ordinary maternity leave” and

(1) 1996 c. 18; sections 75A and 75B were inserted by section 3 of the Employment Act 2002 (c. 22).

(2) S.I.2003/1250 as amended by S.I. 2004/1947.

(3) The faculty of Occupational Medicine is a registered charity no. 1035415

(4) 1978 c. 44, section 33 was amended by section 23 of the Trade Union Reform and Employment Relations Act 1993 (c. 19) and repealed with effect from 22nd August 1996 by Schedule 3 to the Employment Rights Act 1996 (c. 18)

(5) 1996 c. 18; sections 71 and 73 were substituted by section 7 of, and Part 1 of Schedule 4 to, the Employment Relations Act 1999 (c. 26) and amended by section 17 of the Employment Act 2002 (c. 22).

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

Paternity leave	“additional maternity leave” shall be construed accordingly). Leave under regulation 4 or 8 of the Paternity and Adoption Leave Regulations 2002(6).
Retained member of a brigade	A member of a brigade who– (a) is obliged to attend– (i) at the station to which he is attached for training and maintenance duties for an average of 2 hours each week (or such less time as the officer in charge of the station, subject to any orders of the Chief Officer, considers necessary) and promptly, at any time, in response to a call; and (ii) at any other station for reserve or standby duties in accordance with any orders he receives; and (b) receives a retaining fee and such other fees as appropriate in respect of those duties.
Volunteer member of a brigade	A member of a brigade who is obliged to carry out the duties set out in paragraph (a) of the meaning of “Retained member of a brigade”, but does not receive a retaining fee or other fees as appropriate in respect of those duties.”.

(6) S.I. 2002/2788.