

SCHEDULE

AMENDMENT OF THE FIREFIGHTERS' PENSION SCHEME

18. For rule C6 (widow's requisite benefit and temporary pension)(1) substitute—

“Spouse or civil partner's requisite benefit and temporary pension

C6.—(1) This rule applies, with effect from 1st March 1992, where—

(a) a person entitled to reckon less than 2 years' pensionable service who is or has been a regular firefighter and by whom pension contributions have at any time been payable under rule G2 dies, leaving a surviving spouse or civil partner, after the beginning of the tax year in which he attained or would have attained state pensionable age, and

(b) rule C4 does not apply.

(2) Where this rule applies the surviving spouse or civil partner is entitled—

(a) in respect of the first 13 weeks following the death, to a temporary pension, and

(b) after the last of those 13 weeks, to a requisite benefit pension.

(3) The weekly amount of the temporary pension is $A - B$, where—

A is the weekly amount, immediately before the deceased died, of his pensionable pay or, as the case may be, his pension or pensions (including any increase under the Pensions (Increase) Act 1971)(2), and

B is the weekly amount of any children's allowances payable in respect of his death.

(4) The requisite benefit pension shall be calculated—

(a) in the case of a surviving spouse, in accordance with Part V of Schedule 3; and

(b) in the case of a surviving civil partner, in accordance with that Part subject to the substitution, in paragraphs 1 and 3, of “5th April 1988” for “5th April 1978”.

(5) If—

(a) the deceased dies while serving as a regular firefighter; and

(b) the amount of the capitalised value of the requisite benefit pension, as calculated by the Government Actuary, is less than that of his average pensionable pay,

the surviving spouse or civil partner is entitled to a lump sum equal to the difference between those amounts.”.

(1) Rule C6 was substituted by article 2 of and paragraph 24 of the Schedule to S.I.2005/566 and amended by article 2 of and paragraph 8 of Schedule 1 to S.I. 2005/3228.

(2) 1971 c. 56.