

POLICY NOTE

THE FIREMEN'S PENSION SCHEME (AMENDMENT) (SCOTLAND) ORDER 2016

SSI 2016/79

The above instrument was made in exercise of the powers conferred by sections 26(1) to (5) of the Fire Services Act 1947 and sections 12 and 16 of the Superannuation Act 1972. This instrument is subject to negative procedure.

Policy Objectives

The purpose of this Order is to make amendments to the the Firemen's Pension Scheme Order 1992.

On 5 October 2015, Scottish Ministers announced a change to the pensions paid to the widows, widowers and civil partners of firefighters killed in the line of duty. Under the Firefighters' Compensation Scheme (Scotland) Order 2006 ("the 2006 Order"), Special and Augmented awards are payable to survivors of firefighters who die as a result of an injury sustained on duty. The change means that Special and Augmented pensions will no longer be withdrawn on remarriage or registration of a civil partnership. In addition, any Special and Augmented pensions already withdrawn are reinstated from 1 October 2015. Regulation C9 of the 1992 Scheme is amended to give full effect to this change.

This Order also makes minor changes to deal with points made in the Delegated Powers and Law Reform Committee's 24th Report of 2015 in relation to S.S.I. 2015/141.

Consultation

A consultation was undertaken from 26 November 2015 to 14 January 2016. Stakeholders consulted, included the Fire Brigades Union, Fire Officers Association and relevant Scottish and UK Government Departments.

Financial Effects

There are costs attached to the reinstatement of survivor pensions previously withdrawn under the 2006 Order. This cost will have minimal impact on the Scheme and the employer.

Business and Regulatory Impact Assessment

This policy does not impose any additional costs or reduce existing costs for business, third or public sector organisations and on that basis no Business and Regulatory Impact Assessment is required for this Order.

Scottish Public Pensions Agency
An Agency of the Scottish Government
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