
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 382

**FIRE SERVICES
PENSIONS**

**The Firefighters' Pension and Compensation
Schemes (Amendment) (Scotland) Order 2019**

Made - - - - *7th November 2019*
Laid before the Scottish
Parliament - - - - *11th November 2019*
Coming into force - - *21st December 2019*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 26(1) to (5) of the Fire Services Act 1947(1), sections 12 and 16 of the Superannuation Act 1972(2), sections 34(1) to (5) and (8) and 60(2) of the Fire and Rescue Services Act 2004(3) and all other powers enabling them to do so.

In accordance with section 34(5) of the Fire and Rescue Services Act 2004, the Scottish Ministers consulted such persons as they considered appropriate.

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- (1) [1947 c.41](#). Section 26 was repealed by section 52 and schedule 2 of the Fire and Rescue Services Act 2004 ([c.21](#)). Subsections (1) to (5) of section 26 continue to have effect for the purposes of the Firefighters' Pension Scheme, in relation to Scotland by virtue of [S.I. 2004/2306](#). The name of the scheme was changed to the Firefighters' Pension Scheme by [S.I. 2004/2306](#). Section 26 was amended by section 1 of the Fire Services Act 1951 ([c.27](#)), section 42 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 ([c.65](#)), schedule 8 of the Superannuation Act 1972 ([c.11](#)), section 1 of the Police and Firemen's Pensions Act 1997 ([c.52](#)), schedule 25 of the Civil Partnership Act 2004 ([c.33](#)), and [S.I. 1976/551](#). The Secretary of State's functions under section 26, in so far as they were exercisable in relation to Scotland, were devolved to Scottish Ministers by [S.I. 1999/1750](#) and [S.I. 2006/304](#).
- (2) [1972 c.11](#). Section 16 applies section 12 with the necessary modifications to orders under section 26 of the Fire Services Act 1947. Section 16 is repealed by schedule 2 of the Fire and Rescue Services Act 2004, but continues to have certain effect by virtue of [S.I. 2004/2306](#).
- (3) [2004 c.21](#). The functions of the Secretary of State in respect of section 34(1) to (5) and (8), and 60(2) only so far as the functions are exercisable in relation to regulations or orders made by the Scottish Ministers, as regards Scotland were transferred to the Scottish Ministers by virtue of [S.I. 2005/849](#).