

Status: Point in time view as at 28/02/2014.

Changes to legislation: There are currently no known outstanding effects for the Pensions (Increase) Act 1971, Cross Heading: Police and firemen. (See end of Document for details)

SCHEDULES

SCHEDULE 2

OFFICIAL PENSIONS

PART II

PENSIONS OUT OF LOCAL FUNDS

Police and firemen

43 A pension payable (otherwise than as mentioned in paragraph 14 or 15 above) under any of the following;—

- (a) [^{F1}the ^{M1}Police Pensions Act 1976, or any enactment repealed by the ^{M2}Police Pensions Act 1948] or by the ^{M3}Police Pensions Act 1921;
- [^{F2}(b) section 51 or 52 of the Police Act 1996;]
- [^{F3}(c) section 48 of the Police and Fire Reform (Scotland) Act 2012, as extended by article 14 of the Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013.]

This paragraph does not include a derivative pension other than a substituted pension, nor a substituted pension if the original pension was a derivative pension.

Textual Amendments

- F1** Words substituted by [Police Pensions Act 1976 \(c. 35\), Sch. 2 para. 8\(b\)](#)
- F2** Sch. 2 para. 43(b) substituted (22.8.1996) by 1996 c. 16, ss. 103, 104(1), [Sch. 7, Pt. II para. 18\(3\)](#)
- F3** Sch. 2 para. 43(c) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), [Sch. 2 para. 7\(3\)](#) (with [Sch. 3 para. 10\(2\)](#))

Marginal Citations

- M1** 1976 c. 35.
- M2** 1948 c. 24.
- M3** 1921 c. 31.

[^{F4}43A A pension payable under a defined benefits scheme, within the meaning of the Public Service Pensions Act 2013, made by the Secretary of State or the Scottish Ministers under section 1 of that Act by virtue of section 1(2)(g) of that Act (police).

In the case of a scheme made by the Secretary of State, this paragraph does not include a pension referred to in paragraph 15B above.]

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Textual Amendments

F4 Sch. 2 para. 43A inserted (28.2.2014) by [Public Service Pensions Act 2013 \(c. 25\)](#), s. 41(2), **Sch. 8 para. 5(10)** (with [Sch. 11 para. 8](#)); S.I. 2014/433, art. 5(b)

[^{F5} 44 A pension payable by a fire and rescue authority or [^{F6}the Scottish Fire and Rescue Service] in accordance with a scheme brought into operation under section 34 of the Fire and Rescue Services Act 2004.]

Textual Amendments

F5 Sch. 2 para. 44 substituted (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, **Sch. 1 para. 35(3)** (with savings for E.S. in S.I. 2004/2306, art. 3, Sch. and for W. in S.I. 2004/2918, art. 3, Sch.); S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2

F6 Words in Sch. 2 para. 44 substituted (1.4.2013) for E. W. by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 1 para. 1**; for S. by [The Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), Sch.7 para. 48; S.S.I. 2013/51, art. 2

[^{F7}44A A pension payable under a defined benefits scheme, within the meaning of the Public Service Pensions Act 2013, made by the Secretary of State, the Scottish Ministers or the Welsh Ministers under section 1 of that Act by virtue of section 1(2) (f) of that Act (fire and rescue workers).

In the case of a scheme made by the Secretary of State, this paragraph does not include a pension referred to in paragraph 16B above.]

Textual Amendments

F7 Sch. 2 para. 44A inserted (28.2.2014) by [Public Service Pensions Act 2013 \(c. 25\)](#), s. 41(2), **Sch. 8 para. 5(11)** (with [Sch. 11 para. 8](#)); S.I. 2014/433, art. 5(b)

[^{F8}45

Textual Amendments

F8 Sch. 2 para. 45 repealed (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, [Sch. 1 para. 35\(4\)](#), **Sch. 2**; S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2

46 A derivative pension payable under the ^{M4}Police Pensions Act 1921 in respect of a person to whom the ^{M5}National Fire Service (Preservation of Pensions) (Police Firemen) Regulations 1941 applied at the time of that person’s death or retirement.

Marginal Citations

M4 1921 c. 31.

M5 S.R. & O. 1941/1271.

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