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 STATUTORY INSTRUMENTS
 

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1979 No. 407

## FIRE SERVICES

## The Firemen's Pension Scheme (Amendment) Order 1979

<i>Made - - - -</i>	<i>30th March 1979</i>
<i>Laid before Parliament</i>	<i>6th April 1979</i>
<i>Coming into Operation</i>	<i>1st May 1979</i>

In exercise of the powers conferred on me by section 26 of the Fire Services Act 1947(a), as amended and extended by section 42 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(b) and sections 12 and 16 of the Superannuation Act 1972(c), I hereby, with the approval of the Minister for the Civil Service(d) and after consultation with the Central Fire Brigades Advisory Council and the Scottish Central Fire Brigades Advisory Council, make the following Order:—

1. This Order may be cited as the Firemen's Pension Scheme (Amendment) Order 1979.

2. This Order shall come into operation on 1st May 1979 and shall have effect for the purposes of Article 3 as from 1st April 1979.

3. The Firemen's Pension Scheme 1973, set out in Appendix 2 to the Firemen's Pension Scheme Order 1973(e), shall be amended by the substitution for paragraph 8 of Schedule 9 of the following paragraph:—

“8.—(1) This paragraph shall apply where a transfer value is not paid within six months of the fireman ceasing to be a member of his former brigade.

(2) Subject to sub-paragraphs (3) and (4), the transfer value shall be increased by an amount equal to compound interest thereon at the rate of 2½ per cent for each completed three months of the period beginning with the date he ceased to be a member of his former brigade and ending with the date of payment of the transfer value (disregarding any residual period of less than three months).

(3) Where the fireman ceased to be a member of his former brigade before 1st April 1979 but the transfer value is paid on or after that date, the period beginning with the date he ceased to be a member of his former brigade and ending with 31st March 1979 shall count for the purposes of computing the period referred to in sub-paragraph (2).

(4) Where the fireman ceased to be a member of his former brigade before 1st April 1977 but the transfer value is paid on or after 1st April 1979—

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(a) 1947 c. 41.

(b) 1951 c. 65.

(c) 1972 c. 11.

(d) Formerly the Treasury; see S.I. 1968/1656.

(e) S.I. 1973/966; the relevant amending instrument is 1978/1228.

- (a) the transfer value shall be increased by an amount equal to compound interest thereon at the rate of 6 per cent for each completed year in the period beginning with the date he ceased to be a member of his former brigade and ending with 31st March 1977 (disregarding any fraction of a year); and
- (b) sub-paragraph (2) shall apply further to increase the transfer value as if the reference therein to the transfer value were a reference to the transfer value plus the amount (if any) of the increase under the preceding provisions of this sub-paragraph and as if he had ceased to be a member of his former brigade on 1st April 1977.”.

*Merlyn Rees,*  
One of Her Majesty's Principal  
Secretaries of State.

30th March 1979.

Approval of the Minister for the Civil Service given under his Official Seal on 30th March 1979.

(L.S.)

*T. A. A. Hart,*  
Authorised by the Minister for  
the Civil Service.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order amends the Firemen's Pension Scheme 1973 by increasing the rate of interest payable by a fire authority on a transfer value in respect of a fireman who has ceased to be a member of that authority's brigade. Interest is only payable where the transfer value is not paid within six months of the fireman ceasing to be a member of the brigade. Transfer values are paid to the new employer where the fireman joins another brigade or takes employment with an employer with whom there exist interchange arrangements such as are described in Article 71A of the Firemen's Pension Scheme 1973. The amendment takes effect from 1st April 1979 (retrospection is authorised by sections 12 and 16 of the Superannuation Act 1972).



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