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STATUTORY INSTRUMENTS

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**2006 No. 3432**

**The Firefighters' Pension Scheme (England) Order 2006**

**1992 scheme ceasing to have effect in England, with savings**

3.—(1) Subject to paragraphs (2) and (3), the Firefighters' Pension Scheme set out in Schedule 2 to the Firemen's Pension Scheme Order 1992(1) ("the 1992 scheme") shall not have effect in relation to a person who takes up employment with an English fire and rescue authority on or after 6th April 2006.

(2) Paragraph (1) shall not apply to a person who—

- (a) transfers to the employment of an English fire and rescue authority from employment with a fire and rescue authority in Scotland or Wales or with the Northern Ireland Fire and Rescue Service Board; and
- (b) immediately before 6th April 2006, was a member of the firefighters' pension scheme established by the authority from whose employment he transfers.

(3) Where at any time in the period beginning on 6th April 2006 and ending on the date on which this Order comes into force, a person becomes a member of the 1992 scheme on taking up employment with an English fire and rescue authority—

- (a) on the date on which this Order comes into force—
  - (i) the 1992 scheme shall cease to have effect in relation to him, subject to the provisions set out in Schedule 2 to this Order (transitional arrangements); and
  - (ii) the provisions of the New Firefighters' Pension Scheme (England) shall have effect in relation to him; and
- (b) pensionable service that was reckonable service for the purposes of the 1992 scheme shall be treated as pensionable service reckonable under the New Firefighters' Pension Scheme (England).

(4) The 1992 scheme shall continue to have effect in relation to a person who, immediately before 6th April 2006, was a member of it or was entitled to, or in receipt of, an award under it.

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(1) [S.I. 1992/129](#); a relevant amending instrument is [S.I. 2006/1810](#). The Scheme was made under section 26 of the Fire Services Act 1947 ([c.41](#)). It was renamed the Firefighters' Pension Scheme, and continued in force, on the repeal of the 1947 Act by section 52 of, and Schedule 2 to, the Fire and Rescue Services Act 2004, by article 3 of the Firefighters' Pension Scheme (England and Scotland) Order 2004 ([S.I. 2004/1912](#)).