
STATUTORY INSTRUMENTS

2006 No. 3432

The Firefighters' Pension Scheme (England) Order 2006

Continuation of schemes for retained firefighters

4.—(1) This article applies where, immediately before the date on which this Order comes into force, an English fire and rescue authority maintain a scheme for the payment of pensions to and in respect of retained firefighters (“the retained scheme”).

(2) Subject to paragraph (3), the authority may continue to maintain the retained scheme on and after the date on which this Order comes into force, for the benefit of persons who were members of that scheme before 6th April 2006, as if it were a scheme established under the Fire and Rescue Services Act 2004.

(3) The authority must not—

- (a) in respect of a retained firefighter who becomes a member of the New Firefighters' Pension Scheme (England), make any contribution to the retained scheme on or after the date on which the firefighter's membership of that Scheme commences, or
- (b) use their Firefighters' Pension Fund⁽¹⁾ for the making of employer's contributions to the retained scheme.

(4) In this article “retained firefighter” means a person employed by a fire and rescue authority—

- (a) as a firefighter, but not as a regular firefighter, and
- (b) who is obliged to attend at such times as the officer in charge considers necessary, and in accordance with the orders that he receives.

(1) Firefighters' Pension Funds were established under Part LA of the scheme set out in Schedule 2 to the Firemen's Pension Scheme Order 1992 (S.I. 1992/129). Part LA was inserted by S.I. 2006/1810, Schedule 1, para 59.