
STATUTORY INSTRUMENTS

2013 No. 1392

**The Firefighters' Pension Scheme
(Amendment) (No.2) (England) Order 2013**

Citation and commencement

1.—(1) This Order may be cited as the Firefighters' Pension Scheme (Amendment) (No.2) (England) Order 2013.

(2) This Order shall come into force on 1st July 2013, but the amendment made by article 2 and—

(a) paragraph 12(c) of the Schedule (which relates to rule K4 - withdrawal of pension whilst employed by a fire and rescue authority)

shall have effect from 25th September 2009;

(b) sub-paragraphs (ii), (iii) and (iv) of paragraph 2(f) of the Schedule (which relates to rule B5B - additional pension benefit: long service increment); and

(c) paragraph 2(g) of the Schedule (which substitutes for rule B5C (additional pension benefit: continual professional development) rule B5C(additional pension benefit)) so far as it relates to the increase of the additional pension benefit under paragraph (3) and the definitions of “beginning date” and “following relevant tax year” in paragraph (6) of rule B5C,

shall have effect from 11th April 2011.

Amendment of the Firemen's Pension Scheme Order 1992

2. Schedule 2 to the Firemen's Pension Scheme Order 1992(1) (in which is set out the Firefighters' Pension Scheme), as it has effect in England(2), shall be amended in accordance with the Schedule to this Order.

Transitional provisions

3.—(1) The amendments made by paragraph 14(a)(iv) of the Schedule so far as they relate to the insertion of paragraph (9) to rule LA2 (special payments and transfers into Firefighters' Pension Fund) shall not have effect in relation to a person who is entitled to the payment of a pension under the

(1) [S.I. 1992/129](#); amended by [1997/2309](#) and [2851](#), [1998/1010](#), [2001/3649](#) and [3691](#), [2004/1912](#), [2006/1810](#) and [3433](#), [2008/214](#), [2012/953](#) and [2013/703](#). The Scheme was made under section 26 of the Fire Services Act 1947 (c.41). That Act was repealed by section 52 of, and Schedule 2 to, the Fire and Rescue Services Act 2004 (c.21). Subsections (1) to (5) of section 26 were continued in force, for the purposes of the scheme established under that section as the Firemen's Pension Scheme, by [S.I. 2004/2306](#). The name of the scheme was changed, in relation to England and Scotland, by article 4(1) of [S.I. 2004/2306](#).

(2) The Secretary of State's functions under section 26 of the Fire Services Act 1947, in so far as they were exercisable in relation to Scotland, were devolved to Scottish Ministers by section 63 of the Scotland Act 1998 (c.46) and article 2 of, and Schedule 1 to, the Scotland Act 1998 (Transfer of Functions to Scottish Ministers etc) Order 1999 (S.I. 1999/1750). The Secretary of State's functions under section 3(5) of the Fire Services Act 1947 are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously vested in the National Assembly for Wales by the National Assembly for Wales Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry for the Fire Services Act 1947 in Schedule 1 to that Order. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32), they were transferred to the Welsh Ministers.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Firefighters' Pension Scheme 1992 and is employed by any fire and rescue authority in employment which he took up at a date earlier than the date on which this Order comes into force.

(2) In a case to which paragraph (1) applies, rule LA2 of the Firefighters' Pension Scheme 1992, in the form in which it existed immediately before the coming into force of this Order, shall continue to have effect in relation to such a person.

Signed by authority of the Secretary of State for Communities and Local Government

Brandon Lewis
Parliamentary Under Secretary of State
Department for Communities and Local
Government

5th June 2013