

SCHEDULE

Amendment of the Firefighters' Pension Scheme (England Only)

6. In Part F (pensionable service and transfer values)—
- (a) in rule F1 (reckoning of and certificates as to pensionable service)—
 - (i) in paragraphs (1), and (7), for “serviceman” substitute “reservist”;
 - (ii) in paragraph (3), omit “F6”;
 - (iii) in paragraph (6), in both places where it occurs, for “or gratuity” substitute “lump sum, or gratuity”;
 - (b) After rule F1, insert—

“Reckoning of service for purposes of awards

F1A.—(1) Subject to paragraph (3), for the purpose of calculating an award payable to or in respect of an employee of a fire and rescue authority by reference to any period in years (including a period of pensionable or other service) the period shall be reckoned as—

$$A + \frac{B}{365} \text{ years}$$

where—

A is the number of completed years in the period, and

B is the number of completed days in any remaining part of a year,

and accordingly a part of a year which includes 29th February in a leap year and comprises 365 days shall be treated as a whole year.

(2) Where, for the purpose of calculating an award payable to or in respect of a regular firefighter—

- (a) it is necessary to determine his pensionable service reckonable by reason of service or employment before or after a particular date (“the material date”), and
- (b) by virtue of the receipt by a fire and rescue authority of a transfer value, he is entitled to reckon a period of pensionable service (“the credited period”) by reason of service or employment for a period (“the previous employment period”) which includes the material date,

the credited period counts as pensionable service reckonable by reason of service or employment before and after the material date in the same proportion as that between the parts of the previous employment period falling before and after the material date;

(3) Subject to rule B13 and Part 6A of Schedule 2, any period of service as a part-time employee of a fire and rescue authority shall be treated as service as a whole-time employee of a fire and rescue authority when calculating a person’s pensionable service.”;

- (c) in rule F2 (current service) in paragraph (4)(a), omit “(including any such additional or further contributions as are mentioned in rule G4)”;
- (d) in rule F4 (previous service reckonable on payment), omit paragraphs (1), (2), (4) and (5);
- (e) omit rule F6 (war service);
- (f) in rule F6A (previous service reckonable following actionable loss)—
 - (i) in each paragraph where it occurs, for “reckonable service” substitute “pensionable service”;

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

- (ii) in paragraph (1)(b), for “section 62 of the Financial Services Act 1986” substitute “section 150 of the Financial Services and Markets Act 2000(1)”;
- (g) in rule F6B (calculation of amount of restitution payment), in paragraphs (2)(b)(i) and (3), for “Government Actuary” substitute “Scheme Actuary”;
- (h) in rule F8 (transfer payments to Scottish and Welsh fire and rescue authorities), in paragraph (1), in both places where it occurs, for “Scottish or Welsh fire and rescue authority” substitute “Welsh fire and rescue authority, the Scottish Fire and Rescue Service or the Northern Ireland Fire and Rescue Services Board”; and
- (i) in rule F9 (payment of transfer values)—
 - (i) in paragraphs (1)(b), for “an approved scheme” substitute “a registered scheme or a qualifying recognised overseas pension scheme within the meaning of section 169 (recognised transfers) of the 2004 Act” (“an overseas pension scheme”); and
 - (ii) in paragraph 7(b), for “an approved scheme” substitute “a registered scheme or an overseas pension scheme”.

(1) 2000 c.8; section 150 was amended by S.I. 2005/381 and by the Financial Services Act 2010 (c.28), section 24 and Schedule 2.