
STATUTORY INSTRUMENTS

2022 No. 336

**The Police and Firefighters' Pension
Schemes (Amendment) Regulations 2022**

Amendment of the Firefighters' Pension Scheme (England) Regulations 2014

2.—(1) The Firefighters' Pension Scheme (England) Regulations 2014⁽¹⁾ are amended as follows.

(2) After regulation 65(2) (entitlement to higher tier ill-health pension) insert—

“(2A) Where paragraph (2B) applies, the references to normal pension age in paragraphs (1)(a) and (2)(a) are to be read as references to normal pension age under the 1992 Scheme.

(2B) This paragraph applies where—

- (a) the authority has decided to obtain the written opinion of an IQMP under rule H1 (determination by fire authority) of the 1992 Scheme concerning whether a member of that Scheme is permanently disabled or able to undertake regular employment before making a determination as to whether the member is entitled to an ill-health award under rule B3 (ill health awards) of the 1992 Scheme; and
- (b) the determination has not been made before 1st April 2022.”

(3) In Schedule 2⁽²⁾ (transitional provisions)—

(a) in paragraph 1 (interpretation)—

(i) in the definition of “closing date”, in paragraph (c), for “member, or” to the end substitute—

“member,

(ii) if the member is a full protection member of the 1992 Scheme or the NFPS, 31st March 2022, or

(iii) if the member is not a protected member of one of those schemes, the scheme closing date”;

(ii) in the definition of “transition date”, for “member, and” to the end substitute—

“member,

(b) if the member is a full protection member of the 1992 Scheme or the NFPS, 1st April 2022, and

(c) if the member is not a protected member of the 1992 Scheme or the NFPS, the day after the scheme closing date, or the day the person ceased to be a protected member of that scheme, if later”;

(b) in paragraph 3(3) (meaning of “tapered protection closing date”), at the end insert “which must be before 1st April 2022”;

(c) in paragraph 9(2) (full protection members of the 1992 Scheme or the NFPS), for the words “as the case may be,” to the end substitute—

(1) [S.I. 2014/2848](#).

(2) Schedule 2 was amended by [S.I. 2015/589](#) and [S.I. 2017/888](#). There is another amendment to Schedule 2, but it is not relevant.

“as the case may be—

- (a) on 31st March 2022; or
- (b) when P ceases to be in pensionable service under that scheme and ceases to be eligible to be an active member of the NFPS (unless sub-paragraph (3) or (4) applies), if earlier.”;
- (d) in paragraph 31(2)(a) (pensionable service under the NFPS), omit the words from “or if T returns to pensionable service” to the end;
- (e) omit paragraphs 37 (authority determines the entitlement of a member of the NFPS to an ill-health award) and 38 (authority determines the entitlement of a member of the 1992 Scheme to an ill-health award).