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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 65**

**FIRE SERVICES  
PENSIONS**

**The Firefighters' Pension Scheme (Scotland)  
Order 2007 Amendment Order 2010**

*Made - - - - 23rd February 2010*  
*Laid before the Scottish*  
*Parliament - - - - 26th February 2010*  
*Coming into force - - 1st April 2010*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 34(2) (e) and (m) and (4) of the Fire and Rescue Services Act 2004<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 34(5) of that Act they have consulted with such persons as they considered appropriate.

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Firefighters' Pension Scheme (Scotland) Order 2007 Amendment Order 2010 and comes into force on 1st April 2010.

(2) This Order extends to Scotland only.

**Amendment of the Firefighters' Pension Scheme (Scotland) Order 2007**

2. Schedule 1 to the Firefighters' Pension Scheme (Scotland) Order 2007<sup>(2)</sup> is amended in accordance with the Schedule to this Order.

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(1) [2004 c.21](#); amended by s.89(1) of, and paragraph 24 of schedule 3 to, the Fire (Scotland) Act 2005 ([asp 5](#)). The functions of the Secretary of State as regards Scotland were transferred to the Scottish Ministers by virtue of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 ([S.I. 2005/849](#)).

(2) [S.S.I. 2007/199](#) as amended by [S.S.I. 2008/160](#).

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**Status:** This is the original version (as it was originally made).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

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St Andrew's House,  
Edinburgh  
23rd February 2010

*FERGUS EWING*  
Authorised to sign by the Scottish Ministers

SCHEDULE

Article 2

AMENDMENT OF SCHEDULE 1 TO THE FIREFIGHTERS'  
PENSION SCHEME (SCOTLAND) ORDER 2007

After Part 13 (payment of awards) insert—

“PART 13A

DIRECT PAYMENTS BY THE SCOTTISH MINISTERS

**Payments by the Scottish Ministers**

1. For the purposes of meeting the liabilities of an authority incurred under this Scheme the Scottish Ministers may pay sums to the authority.

**Duty to provide information**

2.—(1) An authority shall provide to the Scottish Ministers such information as the Scottish Ministers may, by written notice, require in connection with their functions under rule 1 of this Part.

(2) An authority shall respond to a request under paragraph (1) within such period as the Scottish Ministers specify in the notice, or such longer period as they may in any particular case allow.

**Guidance**

3. An authority shall have regard to guidance issued by the Scottish Ministers for the purposes of this Part.”.

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**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Firefighters' Pension Scheme (Scotland) Order 2007, and has effect from 1st April 2010.

This Order provides power for the Scottish Ministers to make payments to Fire and Rescue Authorities for the purpose of meeting those authorities' liabilities under the 2007 Scheme.