

ANNEX

THE NEW FIREFIGHTERS' PENSION SCHEME (NORTHERN IRELAND)

PART 15

MISCELLANEOUS PROVISIONS

Death of retained or volunteer firefighter before New Firefighters' Pension Scheme (Northern Ireland) Order 2007 in operation

104.—(1) This article applies where a retained or volunteer firefighter dies on or after 6th April 2006 and before the New Firefighters' Pension Scheme (Northern Ireland) Order 2007 comes into operation.

(2) Chapters 1 and 2 of Part 4 (survivors' pensions), article 35 (death grant) and article 63 (pension contributions) shall have effect in respect of him as if—

- (a) he had become a member of this Scheme—
 - (i) where he was employed by the Board immediately before 6th April 2006, on that date;
 - (ii) in any other case, on the date on which he took up employment with the Board;
- (b) he had not made a contributions election; and
- (c) his qualifying service and his pensionable service began on whichever is the later of—
 - (i) the date on which he took up employment; and
 - (ii) 6th April 2006,and ended on the date of his death.

(3) Where—

- (a) in anticipation of the coming into operation of this Scheme, he nominated a nominated partner; and
- (b) the nomination was received and accepted by the Board before he died,

his nominated partner shall be entitled to the same benefits under this Scheme as if the nomination had effect for the purposes of this Scheme.

(4) The Board shall deduct from the death grant payable by virtue of paragraph (2) the amount of the pension contributions that would have been payable under article 63; and article 61 shall have effect for determining his pensionable pay for that purpose.

(5) The Board shall notify the personal representatives of the amount deducted.