

ANNEX

THE NEW FIREFIGHTERS' PENSION SCHEME (NORTHERN IRELAND)

PART 14

PAYMENT OF AWARDS

Payment of awards; further supplementary provision

99.—(1) On the death of a person to whom there was due, in respect of an award, a sum not exceeding the amount specified in any order for the time being in force under section 6 of the Administration of Estates (Small Payments) Act (Northern Ireland) 1967⁽¹⁾, the Board may, without requiring the production of probate or any other proof of entitlement—

- (a) where only one person appears to be beneficially entitled to the personal estate of the deceased, pay the sum to that person; or
- (b) in any other case, either pay the sum to one of the persons appearing to be so entitled or distribute it among all or any of them in such proportions as the Board may determine.

(2) An assignment of, or charge on, an award is void to the extent that it is in favour of a person other than a dependant of the person entitled to the award.

(3) On the bankruptcy of a person entitled to an award, the award does not pass to any trustee or other person acting on behalf of the creditors.

(4) Subject to paragraphs (5) and (6), where as a result of fraud, theft or negligence on the part of a firefighter in connection with his employment, there has been a loss to the funds of the Board, the Board may withhold all or part of any sums becoming due to him from the Board in respect of an award.

(5) The total amount withheld under paragraph (4) must not exceed the amount of the loss; and in the event of any dispute as to the amount of the loss, nothing may be withheld unless the loss has become recoverable from the person entitled to the award under the order of a competent court.

(6) There shall not in any case be withheld any part of a sum due that is not attributable to service as an employee of the Board.

(7) Where an amount is withheld under paragraph (4), the Board shall provide the person entitled to the award with a certificate showing the amount withheld.

(1) 1967 c.5 (N.I.).