

2015 No. 8

FIRE AND RESCUE SERVICES

PENSIONS

**The Firefighters' Pension Scheme (Amendment) Order
(Northern Ireland) 2015**

Made - - - -

19th January 2015

Coming into operation- -

1st April 2015

The Department of Health, Social Services and Public Safety, in exercise of the powers conferred on it by article 10(1), (3), (4) and (5) of the Fire Services (Northern Ireland) Order 1984(a) and now vested in it(b) and with the approval of the Department of Finance and Personnel(c), in accordance with article 10(1) of that Order, makes the following Order:

Citation, commencement, effect and interpretation

1.—(1) This Order may be cited as the Firefighters' Pension Scheme (Amendment) Order (Northern Ireland) 2015 and shall come into operation on 1st April 2015.

(2) In this Order, “the Scheme” means the Scheme set out in the Annex to the Firefighters' Pension Scheme Order (Northern Ireland) 2007(d).

Amendment of the Firefighters' Pension Scheme Order (Northern Ireland) 2007

2.—(1) The Annex to the Firefighters' Pension Scheme Order (Northern Ireland) 2007 is amended as follows.

(2) In Schedule 1 (interpretation) to the Scheme, in Part 1 (glossary of expressions)(e)—

(a) after the entry for the expression “mixed-rate service”—

(i) in the first column insert “New Firefighters' Pension Scheme (Northern Ireland)”,
and

(ii) in the second column insert “the New Firefighters' Pension Scheme (Northern Ireland) set out in Schedule 1 to the New Firefighters' Pension Scheme Order (Northern Ireland) 2007(f).”;

(b) in the entry for the expression “retained firefighter and volunteer firefighter”—

(i) in the first column omit “and volunteer firefighter”; and

(a) S.I. 1984/1821 (N.I. 11) Article 10(5) was amended by S.I. 1998/1549 (N.I. 11) Article 4. Article 10 was continued by S.I. 2006/1254 (N.I. 9) Article 60(1) and (2)

(b) See S.R. 1999 No. 481 Article 6(c) and Schedule 4, Part III

(c) Formerly the Department of Finance. See S.I. 1982/338 (N.I. 6) Article 3

(d) SR 2007 No. 144 amended by SR 2008 No. 382, SR 2012 No. 161, SR 2013 No. 85, SR 2014 Nos.56 and 169.

(e) Part 1 of Schedule 1 was amended by SR 2014 No. 169.

(f) SR 2007/215, amended by SR 2008 No 381, SR 2012 No 162, SR 2013 Nos 84 and 172 and SR 2014 Nos 57 and 168.

- (ii) in the second column after “regular firefighter” insert “or as a volunteer firefighter”;
- (c) after the entry for the expression “tax year”—
 - (i) in the first column insert “volunteer firefighter”; and
 - (ii) in the second column insert—

“A person employed by the Board—

- (a) as a firefighter but not as a regular firefighter or as a retained firefighter;
- (b) on terms under which he is, or may be, required to engage in firefighting or, without a break in continuity of such employment, may be required to perform other duties appropriate to his role as a firefighter (whether instead of, or in addition to, engaging in fire fighting);
- (c) otherwise than in a temporary capacity; and
- (d) who is obliged to attend at such times as the officer in charge considers necessary, and in accordance with the orders that he receives.”.

(3) In Schedule 6 (pensionable service and transfer values) to the Scheme, in Part IV (amount of transfer value)—

- (a) in paragraph 2 for “Where” substitute “Subject to paragraph 7, where”;
- (b) after paragraph 6, add—

“7. Where a transfer value is payable to the scheme managers of the New Firefighters’ Pension Scheme (Northern Ireland) in the case of a person who—

- (a) immediately after the termination of his employment as a regular firefighter on or after 1st July 2000, took up employment as a retained firefighter;
- (b) is a special firefighter member of the New Firefighters’ Pension Scheme (Northern Ireland) under article 4A(1) of Part 2 (scheme membership, cessation and retirement) of that Scheme from 1st July 2000, or if later, from the date before 6th April 2006 on which he took up employment as a retained firefighter;
- (c) has elected under article 66A (election to purchase service during the limited period) of Part 11 (pensionable pay, pension contributions and purchase of additional service) of the New Firefighters’ Pension Scheme (Northern Ireland) to pay the pension contributions required as a special firefighter member from that date;
- (d) has elected under article 81A (transfer of accrued rights under the Firefighters’ Pension Scheme to special membership under this Scheme) of Part 12 (transfers into and out of the Scheme) of the New Firefighters’ Pension Scheme (Northern Ireland) to transfer his accrued rights under this Scheme to his special membership of the New Firefighters’ Pension Scheme (Northern Ireland) at the same time as his election under article 66A of Part 11 of that Scheme,

the amount of the transfer value is the equivalent value to the total of $A/45$ of pensionable service where A is the total in years of pensionable service, not exceeding 30 years.”.

(4) Part A1 of Schedule 7 (pension contributions) to the Scheme is amended as follows—

- (a) for paragraph 1(2)(b) substitute—

“(b) pensionable pay in the first column of the Table in paragraph 3 does not include payments made to a regular firefighter by the Board in respect of any benefits which are pensionable under article 16C of Part B, but those payments shall be included in his pensionable pay for the purposes of the application of the rate specified in the second column.”

- (b) for paragraph 2(2)(b) substitute—

“(b) pensionable pay in the first column of the Table in paragraph 3 does not include payments made to a part-time regular firefighter by the Board in respect of any benefits which are pensionable under article 16C of Part B, but those payments

shall be included in his pensionable pay for the purposes of the application of the rate specified in the second column.”

(c) for the Table in paragraph 3 substitute—

<i>“Pensionable pay</i>	<i>Contribution rate from 1st April 2014 (percentage of pensionable pay)</i>
Up to and including £15,000	11.0%
More than £15,000 and up to and including £21,000	12.2%
More than £21,000 and up to and including £30,000	14.2%
More than £30,000 and up to and including £40,000	14.7%
More than £40,000 and up to and including £50,000	15.2%
More than £50,000 and up to and including £60,000	15.5%
More than £60,000 and up to and including £100,000	16.0%
More than £100,000 and up to and including £120,000	16.5%
More than £120,000	17.0%”

Sealed with the Official Seal of the Department of Health, Social Services and Public Safety on
19th January 2015



Linda Devlin
A senior officer of the
Department of Health, Social Services and Public Safety

The Department of Finance and Personnel approves this Order

Sealed with the Official Seal of the Department of Finance and Personnel on 19th January 2015



Anthony Simpson
A senior officer of the
Department of Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Firefighters' Pension Scheme Order (Northern Ireland) 2007.

Paragraph 2(2) amends the definition of “retained firefighter” and “volunteer firefighter” so that they are now defined separately.

Paragraph 2(3) is consequential on the amendments made to the New Firefighters' Pension Scheme (Northern Ireland) by the New Firefighters' Pension Scheme (Amendment) Order (Northern Ireland) 2015 which provide those persons who were employed in Northern Ireland as retained firefighters between 1st July 2000 and 6th April 2006 with access to a pension scheme for that period. Paragraph 2(3) amends Part 4 of Schedule 6 to the Firefighters' Pension Scheme Order (Northern Ireland) 2007 to provide a different amount of transfer value where the member of that Scheme meets certain requirements.

Paragraph 2(4) amends Part A1 of Schedule 7 to the Scheme to specify the pension contribution rates for regular firefighters payable from 1st April 2014.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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