
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 566

**FIRE SERVICES
PENSIONS**

**The Firefighters' Pension Scheme
Amendment (Scotland) Order 2005**

Made - - - - 8th November 2005
Laid before the Scottish
Parliament - - - - 10th November 2005
Coming into force - - 4th December 2005

The Scottish Ministers, in exercise of the powers conferred by section 26(1) to (5) of the Fire Services Act 1947(1), sections 12 and 16 of the Superannuation Act 1972(2) and of all other powers enabling them in that behalf hereby make the following Order:

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- (1) 1947 c. 41, repealed by section 52 of, and Schedule 2 to, the Fire and Rescue Services Act 2004 c. 21. Subsections (1) to (5) of section 26 continue to have effect for the purposes of the scheme established under that section as the Firemen's Pension Scheme and set out in the Firemen's Pension Scheme Order 1992 (S.I. 1992/129), by article 3 of S.I. 2004/2306. The name of the scheme was changed to the Firefighters' Pension Scheme by article 4(1) of S.I. 2004/2306. Section 26 of the 1947 Act was amended by section 1 of the Fire Services Act 1951 c. 27, section 42 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 c. 65, section 33 of, and Schedule 3 to, the Theft Act 1968 c. 60, sections 16 and 29 of, and Schedule 8 to, the Superannuation Act 1972 c. 11, section 100 of, and Schedule 27 to, the Social Security Act 1973 c. 38, section 1 of, and Schedule 1 to, the Social Security (Consequential Provisions) Act 1975 c. 18, article 2 of the Social Security (Modification of Fire Services Act 1947) Order 1976 (S.I. 1976/551) and section 1 of the Police and Firemen's Pensions Act 1997 c. 52. 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 1999, article 2 and Schedule 1, (S.I. 1999/1750).
- (2) 1972 c. 11; section 12 was amended by section 10 of the Pensions (Miscellaneous Provisions) Act 1990 c. 7. 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 1999, article 2 and Schedule 1 (S.I. 1999/1750). Section 16 applies section 12 with the necessary modifications to orders under section 26 of the Fire Services Act 1997. Section 16 is repealed by section 52 of, and Schedule 2 to, the Fire and Rescue Services Act 2004 c. 21 but continues to have effect, for the purposes of the Firefighters' Pension Scheme, by virtue of article 3 of S.I. 2004/2306.