
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 184

**The Firefighters' Pension Scheme Amendment
(Increased Pension Entitlement) (Scotland) Order 2009**

Citation, commencement, effect and extent

1.—(1) This Order may be cited as the Firefighters' Pension Scheme Amendment (Increased Pension Entitlement) (Scotland) Order 2009.

(2) This Order comes into force on 26th June 2009 and, subject to paragraph (3), has effect from 6th April 2009⁽¹⁾.

(3) Article 3 has effect from 6th April 2006; and

(b) Paragraph 2 of the Schedule, in so far as required to give effect to paragraph 3 of the Schedule, and paragraph 3 of the Schedule have effect from 12th November 1979 to 5th April 2009.

(4) This Order extends to Scotland only.

Amendment of the Firemen's Pension Scheme Order 1992

2. Schedule 2 to the Firemen's Pension Scheme Order 1992⁽²⁾ as it has effect in Scotland is amended in accordance with the Schedule to this Order.

Amendment of the Firefighters' Compensation Scheme (Scotland) Order 2006

3. In paragraph 2(1) of Part I of Schedule 1 to Part 2 of the Firefighters' Compensation Scheme (Scotland) Order 2006⁽³⁾ (calculation of awards for full time service), from “any other pension referable to” to the end substitute—

“any—

- (a) other pension referable to the person's service as a firefighter (including, if rule 4 of Part 10 applies in that person's case, the aggregate of the pension to which the person is entitled under rule B3 of the 1992 Scheme or rule 2 of Part 3 of the 2006 Scheme and the amount of the difference referred to in rule 4(3) of Part 10);
- (b) GMP related payment made under rule P4 (authorisation of GMP related payments) of the Pension Scheme; and
- (c) Increased Pension Entitlement calculated by reference to rule P5 (increased pension entitlement) of the Pension Scheme”.

(1) Retrospective effect is permitted by section 12 of the Superannuation Act 1972 as applied by section 16 of that Act.

(2) S.I. 1992/129; amended by S.I. 1997/2309 and 2851, 1998/1010, 2001/3649 and 2005/3228 and S.S.I. 2001/310, 2004/385, 2005/566, 2006/342, 2007/200 and 2008/161. The Firemen's Pension Scheme was made under section 26 of the Fire Services Act 1947 (c. 41). That Act was repealed by section 52 of, and Schedule 2 to, the Fire and Rescue Services Act 2004 (c. 21). The Scheme and subsections (1) to (5) of section 26 were continued in force by 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.

(3) S.S.I. 2006/338, amended by S.S.I. 2007/198.

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

St Andrew's House,
Edinburgh
14th May 2009

JOHN SWINNEY
A member of the Scottish Executive