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SCOTTISH STATUTORY INSTRUMENTS

2014 No. 149

**FIRE SERVICES
PENSIONS**

**The Firefighters' Pension Scheme
(Scotland) Amendment (No. 3) Order 2014**

<i>Made</i>	- - - -	<i>29th May 2014</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>30th May 2014</i>
<i>Coming into force</i>	- -	<i>28th June 2014</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 34(1) to (4) and 60(2) of the Fire and Rescue Services Act 2004⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 34(5) of that Act, they have consulted with such persons as they considered appropriate.

Citation, commencement and effect

1.—(1) This Order may be cited as the Firefighters' Pension Scheme (Scotland) Amendment (No. 3) Order 2014.

(2) This Order comes into force on 28th June 2014, but—

- (a) articles 3(b) and 7(a) have effect from 22nd May 2014; and
- (b) articles 3(a), 5(a), 7(b) and 8 have effect from 23rd May 2014.

Amendment of the Firefighters' Pension Scheme (Scotland) Order 2007

2. Schedule 1 to the Firefighters' Pension Scheme (Scotland) Order 2007⁽²⁾ is amended in accordance with articles 3 to 5.

(1) 2004 c.21; section 34 was relevantly amended by S.I. 2013/602, Schedule 1, paragraph 7(2); 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 2005 (S.I. 2005/849).

(2) S.S.I. 2007/199, amended by S.S.I. 2008/160, S.S.I. 2010/65, S.S.I. 2010/333, S.S.I. 2012/107, S.S.I. 2013/129, S.S.I. 2014/60 and S.S.I. 2014/110.

3. In Part 1 (citation and interpretation), in paragraph (1) of rule 2 (interpretation)—
 - (a) after the definition of “independent qualified medical practitioner”, insert—

““initial date” means 23rd May 2014.”; and
 - (b) omit the definition of “the Scheme Actuary”.
4. In Part 11 (pensionable pay, pension contributions and purchase of additional service)—
 - (a) in rule 6A (election to purchase service during the limited period)—
 - (i) in paragraph (2)(a), omit “his”;
 - (ii) in paragraph (4), omit “his”;
 - (iii) in paragraph (5), for “his” substitute “the member’s”; and
 - (iv) in paragraph (6), omit “his”; and
 - (b) in paragraph (7) of rule 6B (election to purchase service during the limited period: supplemental provision), for “he” substitute “the member”.
5. In Part 12 (transfers into and out of the Scheme)—
 - (a) in paragraph (3) of rule 11A (transfer of accrued rights under the 1992 Scheme to special membership of this scheme), for “rule 5(13)” substitute “rule 5A(13) of Part 11”; and
 - (b) in rule 18 (converting membership from standard membership to special membership – special pensioner members)—
 - (i) in paragraph (5), omit “his”;
 - (ii) in paragraph (6)(b), after “his” (where it first occurs) insert “or her”; and
 - (iii) in paragraph (6)(b), omit “his” (where it second occurs).

Amendment of the Firefighters’ Pension Scheme (Scotland) Amendment (No. 2) Order 2014

6. The Schedule to the Firefighters’ Pension Scheme (Scotland) Amendment (No. 2) Order 2014(3) is amended in accordance with articles 7 and 8.

7. In paragraph 1—
 - (a) omit sub-paragraph (a)(iv) and (vii); and
 - (b) in sub-paragraph (a)(viii), for “opt in” substitute “normal retirement age”.
8. In paragraph 12—
 - (a) in the heading, for “Part 14” substitute “Part 13”; and
 - (b) for “Part 14”, substitute “Part 13”.

St Andrew’s House,
Edinburgh
29th May 2014

JOHN SWINNEY
A member of the Scottish Government

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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order rectifies with appropriate retrospective effect errors which were contained in the Firefighters' Pension Scheme (Scotland) Amendment (No. 2) Order 2014.