

## SCHEDULE

## Article 2

### AMENDMENTS TO THE FIREMEN'S PENSION SCHEME

1. In rule J1 (guaranteed minimum pensions)—
  - (a) in paragraph (1), after the word “service” there shall be inserted “before 6th April 1997”;
  - (b) at the end of paragraph (2)(c) there shall be added “up to and including the tax year 1996–97”.
- 2.—(1) Rule J2 (revaluation of guaranteed minimum) shall be amended as follows.
  - (2) In paragraph (1)—
    - (a) for the words “paragraph 13(2) of Schedule 1A to the Social Security Pensions Act 1975 (“the Pensions Act”)” there shall be substituted “section 95(1) of the Pension Schemes Act 1993<sup>(1)</sup> (“the 1993 Act”)”;
    - (b) for the words “paragraph 13(2)(b)” there shall be substituted “section 95(2)(c) of that Act”.
  - (3) For paragraph (2) there shall be substituted—

“(2) Where this rule applies, to the extent that the person’s guaranteed minimum is otherwise appropriately secured within the meaning of section 19(3) of the 1993 Act—

    - (a) for the purposes of section 14(2) of that Act (amount of guaranteed minimum) his earnings factors shall be determined by reference to the last order under section 21 of the Social Security Pensions Act 1975<sup>(2)</sup> or section 148 of the Social Security Administration Act 1992<sup>(3)</sup> to come into force before the end of the tax year in which he ceased to serve as a regular firefighter or, as the case may be, in which his election under rule G3 took effect and without reference to any subsequent order, and
    - (b) the weekly equivalent mentioned in section 14(2) of the 1993 Act shall be increased—
      - (i) by at least the prescribed percentage for each relevant year after the end of the tax year in which he ceased to serve as a regular firefighter or, as the case may be, in which his election under rule G3 took effect, and
      - (ii) in accordance with such additional requirements as may be prescribed for the purposes of section 16(3) of the 1993 Act<sup>(4)</sup>.
  - (3) In this rule—

“relevant year” has the meaning given in section 14(8) of the 1993 Act<sup>(5)</sup>;

“prescribed percentage” has the meaning given in regulation 62 of the Occupational Pension Schemes (Contracting-out) Regulations 1996<sup>(6)</sup>.”.
3. In Part II of Schedule 1 (interpretation), for paragraph 2 there shall be substituted—

“2. In this Scheme “state pensionable age” means pensionable age as determined in accordance with the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995<sup>(7)</sup>.”.

(1) 1993 c. 48; section 95(1) was amended by the Pensions Act 1995 (c. 26), Schedule 6, paragraph 3.

(2) 1975 c. 60.

(3) 1992 c. 5.

(4) Section 16(3) was amended by the Pensions Act 1995, Schedule 5, paragraph 28.

(5) Section 14(8) was amended by the Pensions Act 1995, Schedule 5, paragraph 27.

(6) S.I. 1996/1172.

(7) 1995 c. 26.

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