
STATUTORY INSTRUMENTS

2012 No. 954

**FIRE AND RESCUE SERVICES, ENGLAND
PENSIONS, ENGLAND**

**The Firefighters' Pension Scheme
(England)(Amendment) Order 2012**

<i>Made</i>	- - - -	<i>27th March 2012</i>
<i>Laid before Parliament</i>		<i>29th March 2012</i>
<i>Coming into force</i>	- -	<i>1st April 2012</i>

This Order is made in exercise of the powers conferred by sections 34 and 60 of the Fire and Rescue Services Act 2004⁽¹⁾.

In accordance with section 34(5) of that Act, the Secretary of State for Communities and Local Government consulted such persons as he considered appropriate before making the Order.

The Secretary of State makes the following Order:

Citation, application and commencement

1.—(1) This Order may be cited as the Firefighters' Pension Scheme (England)(Amendment) Order 2012.

(2) This Order applies in relation to England only⁽²⁾.

(3) This Order shall come into force on 1st April 2012.

Amendment of the Firefighters' Pension Scheme (England) Order 2006

2. Schedule 1 to the Firefighters' Pension Scheme (England) Order 2006⁽³⁾ (in which the New Firefighters' Pension Scheme (England) is set out) is amended in accordance with articles 3 and 4 of this Order.

(1) [2004 c.21](#).

(2) Powers under sections 34 and 60 of the Fire and Rescue Services Act 2004 are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously vested in the National Assembly for Wales by section 62 of the Fire and Rescue Services Act 2004. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 ([c.32](#)), they were transferred to the Welsh Ministers. Powers under sections 34 and 60 of the Fire and Rescue Services Act 2004 are now vested in Scottish Ministers so far as they are exercisable in relation to Scotland ([S.I.2005/849](#)).

(3) [S.I.2006/3432](#); amended by [2008/213](#).

3. In Chapter 1 of Part 11 (pensionable pay, pension contributions and purchase of additional service), in rule 3(1) (pension contributions) for “at the rate of 8.5% of his pensionable pay for the time being” substitute “at the rate of his pensionable pay for the time being, specified in the Table in Annex A1”.

4. After Part 15 insert—

“Annex A1

Pensions Contributions

1. The rate of the pension contribution mentioned in rule 3(1) of Part 11 is that specified in the Table below by reference to the amount of the pensionable pay of the firefighter member in the first column of the Table.

2. The amount of pensionable pay of a retained or volunteer firefighter for the purpose of the first column of the Table shall be that firefighter’s reference pay.

3. The amount of pensionable pay of a part-time regular firefighter for the purpose of the first column of the Table shall be the amount of pensionable pay of a whole-time regular firefighter of equivalent role and length of service.

4. Where there has been a permanent material change to the terms and conditions of a firefighter member’s employment which affects his pensionable pay, from the date of that change pensionable pay shall be calculated by reference to the revised amount.

5. Pensionable pay in the first column of the Table below does not include payments made to a regular firefighter by the fire and rescue authority in respect of his continual professional development, but those payments will be included in his pensionable pay for the purposes of the application of the rate specified in the second column.

<i>Pensionable pay</i>	<i>Contribution rate from 1st April 2012</i>
Up to and including £15,000	8.5% of pensionable pay
More than £15,000 and up to and including £30,000	8.8% of pensionable pay
More than £30,000 and up to and including £40,000	8.9% of pensionable pay
More than £40,000 and up to and including £50,000	9.0% of pensionable pay
More than £50,000 and up to and including £60,000	9.1% of pensionable pay
More than £60,000 and up to and including £100,000	9.3% of pensionable pay
More than £100,000 and up to and including £120,000	9.5% of pensionable pay
More than £120,000	9.7% of pensionable pay”

Signed by authority of the Secretary of State for Communities and Local Government

27th March 2012

Bob Neill
Parliamentary Under Secretary of State
Department for Communities and Local
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 amends the New Firefighters' Pension Scheme (England) set out in Schedule 1 to the Firefighters' Pension Scheme (England) Order 2006.

The amendment is to provide a different rate for pension contributions payable by firefighter members of the New Firefighters' Pension Scheme which increase according to the amount of pensionable pay which the firefighter member receives. The contribution rate which applies to a firefighter member is specified in the second column of the Table in Annex A1 in relation to the amount of his pensionable pay. The contribution rate which applies to a part-time regular firefighter is that which is specified as though he had been a whole-time firefighter. Where there is a change in a firefighter member's pensionable pay, the contribution rate which applies from that date, is that specified for the revised amount of pensionable pay. For the purposes of ascertaining the rate of contribution, the pensionable pay does not include any payments made for continual professional development, although these payments are included in pensionable pay for the purposes of calculating the pension contribution to be paid.