

SCHEDULES

SCHEDULE 2

Amendment to the Annex to the New Firefighters' Pension Scheme Order (Northern Ireland) 2007

6. In Part 12 (transfers into and out of the Scheme)—
- (a) in Chapter 1 (interpretation of Part 12 and entitlement to transfer value payment)—
- (i) in article 71 (interpretation of Part 12) in the appropriate place insert—
- ““final salary benefit” means benefit accrued under a final salary scheme as defined in section 34 (general interpretation) of the 2014 Act;”;
- (ii) in article 72 (entitlement to transfer value payment), in paragraph (2) for “A firefighter member” substitute “Subject to paragraph (2A) a firefighter member” and after paragraph (2) insert—
- “(2A) A transition member (T), who is a connected member of this Scheme or has received a lower tier ill-health pension under the 2015 Scheme, is not entitled to require the payment of a transfer value in respect of the rights to benefits that have accrued to or in respect of T under this Scheme.”;
- (b) in Chapter 3 (transfers into the Scheme)—
- (i) in article 78 (application for acceptance of transfer value payment for another scheme) after paragraph (3) insert—
- “(4) A person who is a protected member of this Scheme, or a person who becomes an active member of the 2015 Scheme, may apply for a transfer value payment from another public service pension scheme which is a final salary scheme, or includes final salary benefit, to be accepted by the Board for the purposes of this Scheme.”;
- (ii) in article 79(1) (procedure for application under article 78) in paragraph (2) for “Subject to paragraph (4)” substitute “Subject to paragraphs (4) and (5),” and after paragraph (4) insert—
- “(5) Where the application is made by a person who joins this Scheme as a firefighter member (other than as a special firefighter member) the application must be made within one year of the person becoming a firefighter member of this Scheme or within one year of the person becoming an active member of the 2015 Scheme, as the case may be.”;
- (iii) in article 80 (acceptance of transfer value payments) in paragraph (1) for “Subject to paragraph (3)” substitute “Subject to paragraphs (3) and (4)” and after paragraph (3) insert—
- “(4) Where the application under article 78 is made by a person to whom paragraph (4) of that article applies, paragraphs (2) and (3) of article 56 (limit on maximum amount of pensionable service that can be accrued) of Part 10 do not apply to that transfer value payment and the Board must accept the transfer value payment unless paragraph (3) applies.”;

(1) Article 79 was amended by [S.R. 2015 No. 9](#).

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