
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 78

PUBLIC SERVICE PENSIONS

**The Firefighters' Pension Scheme
Regulations (Northern Ireland) 2015**

Made - - - - 24th February 2015

Coming into operation 1st April 2015

**THE FIREFIGHTERS' PENSION SCHEME
REGULATIONS (NORTHERN IRELAND) 2015**

PART 1

Preliminary

1. Citation and commencement
2. Establishment of Firefighters' Pension Scheme 2015
3. Interpretation

PART 2

Governance

4. Scheme manager
5. Northern Ireland Fire and Rescue Service Pension Board: establishment
6. The Pension Board: membership
7. The Pension Board: conflict of interests
8. The Pension Board: Guidance
9. Payment of fees and expenses
10. Scheme advisory board (SAB): establishment
11. Scheme advisory board: membership
12. Scheme advisory board: conflicts of interest
13. Scheme advisory board: funding
14. Delegation

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Firefighters' Pension Scheme Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

PART 3

Scheme membership

CHAPTER 1

Eligibility for active membership

15. Scheme employment
16. Eligible persons
17. Service in two or more scheme employments

CHAPTER 2

Pensionable service

18. Application of Chapter
19. Interpretation of Chapter
20. Automatic enrolment
21. Opting into this scheme
22. Automatic re-enrolment
23. Opting out of this scheme
24. Opting out before the end of the first three months
25. Opting out after the first three months

CHAPTER 3

Pensionable pay

26. Pensionable pay
27. Meaning of “assumed pensionable pay”

CHAPTER 4

Membership

28. Active membership
29. Deferred membership
30. Pension credit member

PART 4

Pension accounts

CHAPTER 1

Preliminary

31. Description of pension

CHAPTER 2

Calculation of accrued pension

32. Calculation of amount of accrued pension for purpose of deferment or retirement

CHAPTER 3

Calculation of adjustments

33. Calculation of "retirement index adjustment"
34. Calculation of "retirement PIA index adjustment"
35. Determination of "the age addition"
36. Determination of "the assumed age addition"

CHAPTER 4

Pension accounts: general

37. Establishment of pension accounts: general
38. Closure and adjustment of pension accounts on transfer out or repayment of balance of contributions

CHAPTER 5

Active member's account

39. Application of Chapter
40. Establishment of active member's account
41. Receipt of a transfer value payment
42. Receipt of a club transfer value payment
43. Amount of pension for a scheme year
44. Opening balance, index adjustment and age addition
45. Ill-health award ceases to be payable
46. Closure and re-establishment of active member's account

CHAPTER 6

Added pension account

47. Establishment of added pension account
48. Account to specify amount of added pension
49. Account to specify opening balance and PIA index adjustment
50. Closure and transfer of added pension account
51. Ill-health pension ceases to be payable

CHAPTER 7

Deferred member's account

52. Application of chapter
53. Establishment of deferred member's account

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Firefighters' Pension Scheme Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- 54. Provisional amount of deferred pension
- 55. Retirement amount of deferred pension
- 56. Adjustment of account after early payment of deferred pension ceases
- 57. Account established after ill-health award ceases to be payable
- 58. Closure of deferred member's account after gap in pensionable service not exceeding five years

CHAPTER 8

Retirement account

- 59. Establishment of retirement account and other adjustments
- 60. Account to specify amount of retirement pension (active members)

CHAPTER 9

Pension accounts for survivor members

- 61. Establishment of survivor member's account
- 62. Amount of pension payable to survivor member

CHAPTER 10

Pension accounts for pension credit members

- 63. Establishment of pension credit member's account
- 64. Other pension accounts

PART 5

Retirement benefits

CHAPTER 1

Interpretation

- 65. Application of Part
- 66. Qualifying service

CHAPTER 2

Retirement benefits

- 67. Entitlement to retirement pension
- 68. Annual rate of retirement pension (active members)
- 69. Annual rate of retirement pension (deferred members)
- 70. Employer initiated retirement

CHAPTER 3

Partial retirement benefits

- 71. Exercise of partial retirement option

- 72. Annual rate of retirement pension after exercise of partial retirement option

CHAPTER 4

Ill-health benefits

- 73. Entitlement to lower tier ill-health pension and higher tier ill-health pension
- 74. Annual rate of ill-health awards
- 75. Early payment of retirement pension to deferred member
- 76. Review of ill-health award or early payment of pension of retirement pension
- 77. Consequences of review

CHAPTER 5

Payment of retirement benefits

- 78. Commencement of pensions
- 79. Option to commute part of pension
- 79A Option to commute part of an equivalent amount

CHAPTER 6

Allocation of part of pension

- 80. Allocation election
- 81. Making an allocation election
- 82. Effect of allocation
- 83. Adjustment of allocated benefit

PART 6

Death benefits

CHAPTER 1

Interpretation

- 84. Meaning of “surviving partner”
- 85. Meaning of “initial period”

CHAPTER 2

Pensions for surviving partners

- 86. Surviving partner's pension payable on death of active member
- 87. Surviving partner's pension payable on death of deferred member
- 88. Surviving partner's pension payable on death of pensioner member
- 89. Bereavement pension: surviving partner
- 90. Reduction in pensions in cases of wide age disparity
- 91. Survivor's guaranteed minimum pensions

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Firefighters' Pension Scheme Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

CHAPTER 3

Pensions for eligible children

- 92. Eligible child's pension
- 93. Meaning of “eligible child”
- 94. Eligible child's pension on death of active member
- 95. Eligible child's pension payable on death of deferred member
- 96. Eligible child's pension payable on death of pensioner member
- 97. Specified proportion
- 98. Increase in eligible child's pension where there is no surviving partner
- 99. Increase in eligible child's pension where member was a pension debit member
- 100. Bereavement pension: eligible child

CHAPTER 4

Lump sum death benefits

- 101. Meaning of “final pay”
- 102. Meaning of “annualised final pay”
- 103. Person to whom lump sum death benefit payable
- 104. Lump sum payable on death of active member
- 105. Lump sum payable on death of pensioner member
- 106. Lump sum payable on death in certain cases
- 107. Lump sum payable on death of pension credit member

CHAPTER 5

Payment of death benefits

- 108. Payment of pensions under this Part
- 109. Surviving partner's pensions and eligible child's pensions: suspension and recovery
- 110. Provisional awards of eligible child's pensions: later adjustments
- 111. Adjustment of eligible child's awards consequent on re-instatement of pension benefits
- 112. Adjustment of benefits to comply with the 2004 Act where members die over 75

PART 7

Benefits for pension credit members

- 113. Entitlement to pension credit members' pension
- 114. Annual rate of pension credit member's pension
- 115. Reduction in pension debit member's benefits
- 116. Pension credit member's rights
- 117. Commutation of part of pension

PART 8

Contributions

CHAPTER 1

Members contributions

- 118. Member contributions
- 119. Contributions during absence from work due to illness, injury, trade dispute or authorised absence
- 120. Contributions during absence from work on reserve forces service leave
- 121. Contributions during child-related leave
- 122. Deduction and payment of contributions
- 123. Schedule 1 (payments for added pension)

CHAPTER 2

Refund of member contributions

- 124. Refund of all member contributions and payments for extra pension made by member

CHAPTER 3

Employer contributions

- 125. Employer contributions
- 126. Employer additional contribution: ill health award
- 127. Refund of employer additional contribution for ill health award following review
- 128. Employer additional contribution: employer initiated retirement

PART 9

Firefighters' Pension Fund

- 129. Interpretation of Part
- 130. Establishment of Firefighters' Pension Fund
- 131. Payments into the Firefighters' Pension Fund
- 132. Payments to be made from the Firefighters' Pension Fund
- 133. Information to be provided to the Department
- 134. Estimated deficits
- 135. Estimated surpluses
- 136. Actual deficits
- 137. Actual surpluses
- 138. Duty to provide information

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Firefighters' Pension Scheme Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PART 10

Transfers

CHAPTER 1

Preliminary

- 139. Application of Part
- 140. Interpretation in relation to Part

CHAPTER 2

Transfers out

- 141. Transfer payments made to other schemes or pension arrangements
- 142. Application for a statement of entitlement
- 143. Statement of entitlement
- 144. Request for transfer payment to be made
- 145. Calculating the amount of a transfer value or club transfer value
- 146. Effect of transfers-out

CHAPTER 3

Transfers in

- 147. Application of Chapter
- 148. Interpretation of Chapter
- 149. Request for acceptance of a transfer payment
- 150. Transfer statement
- 151. Amount of transferred pension
- 152. Club transfer value statement
- 153. Amount of club transfer earned pension

CHAPTER 4

Transfer of pension account entries to another scheme manager

- 154. Requirement for scheme manager to provide a certificate
- 155. Request to confirm details on certificate
- 156. Dispute concerning entries on the certificate
- 157. Transfer of pension account entries

PART 11

Actuarial valuations

- 158. Appointment of scheme actuary and actuarial valuations
- 159. Employer cost cap

PART 12

Determination of Questions of Appeals

CHAPTER 1

- 160. Determinations by the scheme manager
- 161. Determinations and decisions of the Scheme Manager
- 162. Appeal against opinion on a medical issue
- 163. Appeals against decision of the Pension Board

CHAPTER 2

Appeal to Independent Medical Referee

- 164. (1) Subject to paragraph (2) written notice of appeal against...

CHAPTER 3

Dispute Resolution

- 165. Appeals on other issues

PART 13

Supplementary

CHAPTER 1

Payment of pensions

- 166. Late payment of retirement index adjustment
- 167. Recovery of overpayment of benefits
- 168. Guaranteed minimum pension
- 169. Commutation of small pensions
- 170. Payments for persons incapable of managing their affairs
- 171. Payments due in respect of deceased persons
- 172. Limitation on assignment of benefits

CHAPTER 2

Forfeiture

- 173. Forfeiture: offences committed by members, surviving partners or eligible children
- 174. Forfeiture of pensions: offences committed by other persons
- 175. Forfeiture of lump sum death benefit: offences committed by other persons
- 176. Forfeiture: relevant monetary obligations and relevant monetary losses
- 177. Set-off
- 178. Forfeiture and set-off: procedure

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Firefighters' Pension Scheme Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

CHAPTER 3

Payment and deduction of tax

- 179. Scheme administrator for the purposes of the 2004 Act
- 180. Payment on behalf of members of lifetime allowance charge
- 181. Reduction of benefits where lifetime allowance charge payable
- 182. Information about payment of annual allowance charge
- 183. Reduction of benefits where annual allowance charge paid by scheme manager

CHAPTER 4

General

- 184. Calculation of periods of membership and service
- 185. Annual benefit information statements
- 186. Evidence of entitlement
- 187. Information to be provided to a member before reserve forces service leave
- 188. Transitional provisions
- 189. Duty to have regard to guidance
Signature

SCHEDULES

SCHEDULE 1 Payments for added pension

1

PART 1 — Interpretation

- 1. Interpretation
- 2. Meaning of “overall limit of extra pension”
- 3. Limit on elections
- 4. Amount of accrued added pension may not exceed overall limit of extra pension

PART 2

CHAPTER 1

Exercising the added pension election

- 5. Added pension election exercisable by member

CHAPTER 2

Periodical payments for added pension

- 6. Application of Chapter
- 7. Member's election to make periodical payments for added pension
- 8. Periodical payments
- 9. Discontinuance of periodical payments
- 10. Periodical payments during periods of assumed pensionable pay
- 11. Amount of added pension for a scheme year

CHAPTER 3

Lump sum payments for added pension

12. Application of Chapter
 13. Member's election to make a lump sum payment for added pension
 14. Amount of added pension to be credited to added pension account
- SCHEDULE
2. Transitional provisions
- 2
- PART 1 — General
1. Interpretation
 2. Meaning of “continuity of service”
 3. Meaning of “tapered protection closing date”
 4. Meaning of “eligible to be an active member” of the NFPS
 5. Meaning of “active member of the FPS or the NFPS”
 6. Meaning of “active member of an existing scheme”
 7. Meaning of “active member of an existing public body pension scheme”
 8. Commencement of active membership of this scheme
- PART 2 — Full protection members of the FPS or the NFPS
9. Full protection members of the FPS or the NFPS
 10. Exception for full protection member during protection period
 11. Full protection member not eligible to join this scheme
 12. Full protection members of the FPS or the NFPS on scheme closing date
 13. Full protection: members of an existing scheme
 14. Full protection: members of an existing public body pension scheme
- PART 3 — Exceptions to section 18(1) of the 2014 Act: tapered protection members of the FPS or the NFPS
15. Tapered protection members of the FPS or the NFPS
 16. Exception for tapered protection members during protection period
 17. Tapered protection member not eligible to join this scheme
 18. Tapered protection: members of the FPS or the NFPS on scheme closing date
 19. Tapered protection: members of an existing scheme
 20. Tapered protection: members of an existing public body pension scheme
 21. Tapered protection members of an existing scheme or an existing public body pension scheme
- PART3A — Payment of ill-health benefits to transition members
22. Transition member who has not reached normal pension age under the NFPS
 23. Transition member who reaches normal pension age under the NFPS
 24. Transition member who has not reached normal pension age under the FPS
 25. Transition member who reaches normal pension age under the FPS
- PART3B — Payment of death benefits in respect of transition members
26. Annual rate of pensions for surviving partners payable under this scheme when certain transition members die in service with accrued benefits in the FPS
 27. Annual rate of pensions payable to an eligible child under this scheme when a transition member dies in service with accrued benefits in the NFPS

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Firefighters' Pension Scheme Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

28. Annual rate of pensions payable to an eligible child under this scheme when a transition member dies in service with accrued benefits in the FPS
 29. Amount of lump sum death benefit payable under this scheme when a transition member dies in service with accrued benefits in the NFPS
 30. Amount of lump sum death benefit payable under this scheme when a transition member dies in service with accrued benefits in the FPS
- PART3C — Transitional provisions relating to the NFPS and the FPS
31. Pensionable service under the NFPS
 32. Final salary of certain transition members for any purposes of the NFPS
 33. Final salary of certain transition members for any purposes of the FPS
 34. Continuous pensionable service under the FPS
 35. Deferred member of the FPS
 36. Deferred member of the NFPS
 37. Scheme manager determines member of the NFPS is not entitled to an ill-health award
 38. Scheme manager determines members of the FPS is not entitled to an ill-health award
 39. Repayment of contributions under the NFPS
 40. Qualifying for retirement benefits under the NFPS
 41. Qualifying for retirement benefits under the FPS
 42. Final salary link not to apply again to a pension in payment under the NFPS
 43. Final salary link not to apply to a pension in payment under the FPS
- PART3D — Transfer of final salary benefits
44. Meaning of “final salary benefit”
 45. Acceptance of club transfer value payments
 46. Member of this scheme or the NFPS
- PART 4
Explanatory Note

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Firefighters' Pension Scheme Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- reg. 3 words inserted by [S.R. 2023/157 reg. 21\(2\)\(b\)](#)
- reg. 27(2)(c) words inserted by [S.R. 2023/157 reg. 21\(3\)\(a\)](#)
- reg. 27(2)(e) words substituted by [S.R. 2023/157 reg. 21\(3\)\(b\)](#)
- reg. 121(3) words inserted by [S.R. 2023/157 reg. 21\(4\)](#)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- reg. 3(c) word omitted by [S.R. 2023/157 reg. 21\(2\)\(c\)\(i\)](#)
- reg. 3(e) words substituted by [S.R. 2023/157 reg. 21\(2\)\(c\)\(ii\)](#)
- reg. 3(f) word omitted by [S.R. 2023/157 reg. 21\(2\)\(a\)\(i\)](#)
- reg. 3(f) words inserted by [S.R. 2023/157 reg. 21\(2\)\(c\)\(iii\)](#)
- reg. 3(g) word inserted by [S.R. 2023/157 reg. 21\(2\)\(a\)\(ii\)](#)
- reg. 3(h) inserted by [S.R. 2023/157 reg. 21\(2\)\(a\)\(iii\)](#)