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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 143**

**The Firefighters' Compensation Scheme and Pension Scheme (Amendment) (Scotland) Order 2015**

**PART 2**

**Amendment of the Firefighters' Compensation Scheme (Scotland) Order 2006**

**Amendment of Part 10 (payment of awards and financial provisions)**

- 11.**—(1) Part 10 is amended as follows.
- (2) In rule 3 (prevention of duplication)—
- (a) in paragraph (1)(b), after “the 2006 Scheme” insert “or the 2015 Scheme”;
  - (b) in paragraph (2)—
    - (i) in sub-paragraph (a), after “the 2006 Scheme” insert “or Chapter 6 of Part 5 of the 2015 Regulations”;
    - (ii) in sub-paragraph (b), after “entitlement to pension)” insert, “or regulation 105 (entitlement to pension credit members’ pension) of the 2015 Regulations”;
    - (iii) in sub-paragraph (c), after “minimum pensions)” insert, “or regulation 166 (guaranteed minimum pension) of the 2015 Regulations”;
  - (c) in paragraph (3) for “as the case may be, rule 4 of Part 13 of the 2006 Scheme” substitute “rule 4 of Part 13 of the 2006 Scheme, or regulation 8 (service in two or more scheme employments) and regulation 9 (application of Chapter 2 – Pensionable service) of the 2015 Regulations, as the case may be”;
  - (d) in paragraph (4)(a), at the end. insert—
    - “or
    - (iii) under regulation 58 or 65 of the 2015 Regulations, a retirement pension or a lower tier ill-health pension or a higher tier ill-health pension;”.
- (3) In rule 4 (prevention of duplication: other injury awards)—
- (a) in paragraph (1), after the definition of “Part 8 award”, insert—
    - ““regulation 65 award” means an entitlement to a lower tier ill-health pension or a higher tier ill-health pension under regulation 65 of the 2015 Regulations;”;
  - (b) in paragraph (2)(b)(i), after “a rule 2 award,”, insert “a regulation 65 award,”;
  - (c) in paragraphs (3) and (4), for “or, as the case may be, the rule 2 award” in each place where the words occur substitute “or the rule 2 award or the regulation 65 award, as the case may be,”.
- (4) In rule 5 (prevention of duplication: other awards for spouses or children of persons who are both regular and retained firefighters)—
- (a) at the end of paragraph (3)(k), omit “and”;

(b) after paragraph (3)(1), insert—

- “(m) a surviving partner’s pension under regulation 78, 79 or 80 of the 2015 Regulations;
- (n) a surviving partner’s bereavement pension under regulation 81 of the 2015 Regulations;
- (o) an eligible child’s pension under regulations 86, 87 or 88 of the 2015 Regulations;
- (p) an eligible child’s bereavement pension under regulation 92 of the 2015 Regulations;
- (q) a lump sum payable on death under regulations 96 and 97 of the 2015 Regulations.”.