
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 143

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

PART 3

Amendment of the Firefighters' Pension Scheme (Scotland) Order 2007

Amendment of Part 11 (pensionable pay, pension contributions and purchase of additional service)

19.—(1) Part 11 is amended as follows.

(2) In rule 5A(1) (purchase of service during the limited period) omit “member”.

(3) In rule 6A (election to purchase service during the limited period), after paragraph (13) insert—

“(14) In respect of the pension contributions referred to in paragraph (12), interest is payable in respect of contributions payable from and including 6th April 2006, until the date on which the person joins this Scheme as a standard member (“the assumed standard period”).

(15) Interest is payable in respect of the pension contribution required to be paid in respect of a special member's service during the assumed standard period as follows—

- (a) for the purposes of calculating interest under this paragraph it shall be assumed that in respect of the assumed standard period, pension contributions were payable by monthly periodic contributions from the date that the member's first standard monthly contributions would have been paid;
- (b) interest starts to accrue from the date that the first monthly contribution would have been paid in accordance with sub-paragraph (a) and ceases to accrue on the date that the lump sum contribution or final periodic contribution is paid in accordance with paragraphs (2), (4), (5), (8) of this rule;
- (c) in relation to assumed standard period pension contributions which are paid by lump sum contribution, interest shall be calculated by applying the past interest rate to the contribution payable in accordance with rule 3(1) of Part 11 compounded monthly between the month each contribution would have been made in accordance with sub-paragraph (a) until the calculation date;
- (d) in relation to assumed standard period pension contributions which are paid by periodic contribution—
 - (i) interest shall be calculated as for a lump sum contribution under sub-paragraph (c);
 - (ii) the amount of interest payable shall then be adjusted in accordance with tables provided by the Scheme Actuary so as to allow for interest at the future interest rate in relation to the period from the calculation date to the

date that the contribution is paid, so as to discharge liability over a period of ten years;

(e) for the purpose of this rule—

“assumed special period pension contributions” means the pension contribution payable in respect of a special member’s service during the assumed standard period under rule 6A of Part 11;

“calculation date” means—

- (a) in the case of a lump sum contribution, the date when the lump sum is paid; and
- (b) in the case of payment of the assumed standard period pension contribution by periodic contribution, the date when the member joined this Scheme as a special member;

“future interest rate” is a rate equivalent to 1.5% plus the FTSE Actuaries UK Gilt 10 years yield index less the average of the FTSE Actuaries UK Index-linked Gilt 5 to 15 years index with assumed inflation rates of 0% and 5%;

“past interest rate” is a rate equivalent to the interest available on the most recent issue of five-year fixed interest savings certificates from National Savings and Investments available on the 15th day of each month which would have been applicable to the period in question.”.

(4) In rule 6B (election to purchase service during the limited period: supplemental provision), at the end of paragraph (2) insert “except where an election is made by a provisionally enrolled member, in which case the election may not take effect after 30th September 2015”.

(5) After rule 6B insert—

“Election to purchase service: provisional enrolment

6C.—(1) Subject to paragraph (3), a person who satisfies the conditions in paragraph (2) of this rule joins this Scheme as a provisionally enrolled member on 31st March 2015.

(2) The conditions are that on or before 31st March 2015—

- (a) the person has been notified by the authority, that he or she may be entitled to join this Scheme as a special member, pursuant to rule 5A(4) of this Part; or
- (b) the authority referred to in rule 5A(4) of this Part has received from the person an application for a statement of service, pursuant to rule 5A(5) of this Part.

(3) A person cannot become a provisionally enrolled member if, on or before 31st March 2015, the person—

- (a) has become a special member of this Scheme;
- (b) has informed the authority that the person does not want to elect to join this Scheme as a special member; or
- (c) has been notified by the authority that the person is no longer eligible to join this Scheme as a special member.

(4) On or before 31st May 2015, the authority must give a provisionally enrolled member a notice as referred to under rule 5A(13) of this Part, unless the authority has already provided the person with such a notice.

(5) Subject to rule 6B(12) of this Part, if a provisionally enrolled member—

- (a) gives the authority written notice of an election to pay mandatory special period pension contributions in respect of service during the mandatory special period under rule 6A of this Part, the election takes effect on the day on which the notice of election

is received by the authority, and the person ceases to be a provisionally enrolled member of this Scheme and becomes a special member of this Scheme;

- (b) does not give the authority written notice on or before 30th September 2015 of an election to pay mandatory special period pension contributions in respect of service during the mandatory special period under rule 6A of this Part, the person ceases to be a provisionally enrolled member of this Scheme.”.