
SCOTTISH STATUTORY INSTRUMENTS

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 8 (special cases)

- 9.** In Part 8, in rule 2 (award for or in relation to a volunteer firefighter)—
- (a) in paragraph (2), after “the 2006 Scheme”, insert “or the 2015 Scheme”;
 - (b) for paragraph (3), substitute—
 - “(3) The following provisions apply in relation to the awards to which a person, by virtue of paragraph (2), may be entitled—
 - (a) rules B7 (commutation), B9 (allocation) and B10 (limitation of commuted or allocated portion) of the 1992 Scheme;
 - (b) rule 9 (commutation: general) or rule 11 (allocation of pension) of Part 3 of the 2006 Scheme;
 - (c) regulation 109 (commutation of part of pension) or Chapter 6 (allocation of part of pension) of Part 5 of the 2015 Regulations.”;
 - (c) for paragraph (4), substitute—
 - “(4) Subject to paragraph (4A)—
 - (a) a person to whom paragraph (1) applies shall be treated for the purposes of rule B3 (ill-health awards) of the 1992 Scheme as having been a regular firefighter falling within the description in paragraph (10) below; and rules B7 (commutation), B9 (allocation), B10 (limitation of commuted or allocated portion), K1 (review of ill-health and certain deferred pensions), K1A (consequences of review) and K3 (reduction of award in case of default) of the 1992 Scheme apply accordingly in relation to the awards to which the person is thus entitled;
 - (b) if a person to whom paragraph (1) applies—
 - (i) has become a member of the 2006 Scheme, rule 9 or 11 of Part 3 of the 2006 Scheme, rule 1 of Part 9 of that Scheme (review of ill-health pension) and rule 2 of that Part (consequences of review) shall apply accordingly in relation to the awards to which the person is thus entitled;
 - (ii) has become a member of the 2015 Scheme, regulation 109 (commutation of part of pension), Chapter 6 (allocation of part of pension) of Part 5, regulation 68 (review of ill-health award or early payment of retirement pension) and regulation 69 (consequences of review) of the 2015

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Regulations shall apply accordingly in relation to the awards to which the person is thus entitled.”;

(d) in paragraph (4A)—

- (i) after “the 2006 Scheme”, where these words occur for the first time, insert “or the 2015 Scheme”;
- (ii) after “ill-health retirement”, insert “or under regulation 65 (entitlement to lower tier ill-health pension and higher tier ill-health pension) of the 2015 Regulations”.