
STATUTORY INSTRUMENTS

1991 No. 1097

FIRE SERVICES

SUPERANNUATION

The Firemen's Pension Scheme (Amendment) Order 1991

<i>Made</i>	- - - -	<i>25th April 1991</i>
<i>Laid before Parliament</i>		<i>8th May 1991</i>
<i>Coming into force</i>	- -	<i>1st July 1991</i>

In exercise of the powers conferred upon me by section 26 of the Fire Services Act 1947⁽¹⁾ I hereby, with the approval of the Treasury⁽²⁾ and after consultation with the Central Fire Brigades Advisory Council and the Scottish Central Fire Brigades Advisory Council, make the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Firemen's Pension Scheme (Amendment) Order 1991 and shall come into force on 1st July 1991.

(2) In this Order "the 1973 Scheme" means the scheme set out in Appendix 2 to the Firemen's Pension Scheme Order 1973⁽³⁾.

Variation of Scheme

2.—(1) The Schedule to this Order has effect for varying the 1973 Scheme.

(2) A reference in the Schedule to a numbered article or Schedule is a reference to the article or Schedule identified by that number in the 1973 Scheme.

Home Office
17th April 1991

Kenneth Baker
One of Her Majesty's Principal Secretaries of
State

(1) 1947 c. 41; section 26 was amended and extended by the Fire Services Act 1951 (c. 27), section 1; by the Reserve and Auxillary Forces (Protection of Civil Interests) Act 1951 (c. 65), section 42; and by the Superannuation Act 1972 (c. 11), sections 12 and 16.
(2) See S.I. 1981/1670.
(3) S.I. 1973/966; relevant amendments to the scheme were made by S.I. 1978/1349, 1983/614, 1985/318, 1989/732, 1990/1841.

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We approve

Irvine Patrick
Sydney Chapman
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE

Article 2

1. In article 8(1) (meaning of certain expressions) in the definition of “award” after the word “gratuity” insert “, grant”.

2. After article 30 insert—

“Lump sum death grant

30A.—(1) On the death of a person while serving as a regular fireman a lump sum death grant becomes payable unless an election under article 56A(1) not to pay pension contributions had effect at the time of the death.

(2) The grant is payable whether or not any award is payable under articles 22 to 24, 27 or 27A.

(3) The amount of the grant is twice that of the deceased pensionable pay, expressed as an annual rate—

(a) at the time of death, or

(b) if he was then absent from duty without pay, immediately before that absence began.

(4) The grant is to be paid—

(a) to any qualifying widow, or

(b) if there is no qualifying widow, to the personal representatives.

(5) A qualifying widow is one who was not living apart from the deceased at the time of the death.”.

3. In article 56 (rate of payment of pension contributions) for the words “8.75% (as from 1st November 1983 10.75%)” substitute “11%”.

4. In article 83 (widow of part-time fireman: injury award) after paragraph (2) insert—

“(3) The treatment of the member for the purposes of paragraph (2) as if he had been a regular fireman does not mean that any death grant is payable under article 30A.”.

5. In Schedule 10 (modifications for firemen serving on 10th July 1956), for paragraph 14 substitute—

“14. In article 56 for “11%” substitute “7.75%”.”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order further varies the Firemen’s Pension Scheme brought into operation by the Firemen’s Pension Scheme Order 1973 (“the 1973 Scheme”). The variations are set out in the Schedule to the Order, to which effect is given by article 2.

Paragraph 2 of the Schedule introduces a new lump sum death grant, equivalent to 2 years’ pensionable pay. The grant is payable, in addition to any other death benefits, on the death of a

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regular fireman who when he died was a contributing member of the 1973 Scheme. If the fireman leaves a widow (which by virtue of the definition inserted in article 8(1) of the 1973 Scheme by [S.I. 1985/318](#) includes a widower) and they were not living apart, the grant is payable to the widow; otherwise, it is payable to the personal representatives.

Paragraphs 3 and 5 make related increases in pension contributions rates; paragraph 4 negatives any possible implication that the grant might be payable in respect of a part-time fireman.