

SCHEDULE 1

THE NEW FIREFIGHTERS' PENSION SCHEME (ENGLAND)

PART 15

MISCELLANEOUS PROVISIONS

Death on or before 31st March 2007 of retained or volunteer firefighter employed before 6th April 2006

6.—(1) This rule applies where a retained or volunteer firefighter employed by an authority immediately before 6th April 2006 dies on or before 31st March 2007 without having made an election as to membership of this Scheme.

(2) Chapters 1 and 2 of Part 4 of this Scheme (survivors' pensions), rule 1 of Part 5 of this Scheme (death grant) and rule 3 of Part 11 (pension contributions) shall have effect in respect of him as if—

- (a) he had elected to become a member of this Scheme on 6th April 2006 and had not made a contributions election, and
- (b) his qualifying service and his pensionable service began on 6th April 2006 and ended on the date of his death.

(3) Where—

- (a) in anticipation of the coming into force of this Scheme, he nominated a nominated partner, and
- (b) the nomination was received and accepted by the authority before he died,

his nominated partner shall be entitled to the same benefits under this Scheme as if the nomination had effect for the purposes of this Scheme.

(4) The authority shall deduct from the death grant payable by virtue of paragraph (2) the amount of the pension contributions that would have been payable under rule 3 of Part 11; and rule 1 of that Part shall have effect for determining his pensionable pay for that purpose.

(5) The authority shall notify the personal representatives of the amount deducted.