

SCHEDULE 1

THE NEW FIREFIGHTERS' PENSION SCHEME (ENGLAND)

PART 3

PERSONAL AWARDS

Commutation: small pensions

10.—(1) Where the amount of any pension payable under this Part to a member who has attained state pensionable age, together with any pension to which he is entitled under rule 1 of Part 6 and any increase under the Pensions (Increase) Act 1971⁽¹⁾, does not exceed the commutation limit specified for the purposes of Part 1 of Schedule 29 to the Finance Act 2004 (lump sum rule)⁽²⁾, the fire and rescue authority may commute the pension under this Part for a lump sum.

(2) The amount of a lump sum under this rule is the actuarial equivalent of the pension, calculated from tables prepared by the Scheme Actuary.

(3) Where a member is entitled to more than one pension under this Part, the pensions shall be treated as one for the purposes of this rule.

(4) On the day on which a pension is commuted under this rule, all other entitlements of the member under this Part are extinguished.

⁽¹⁾ 1971 c.56.

⁽²⁾ As to “the lump sum rule”, *see* section 166 of the Finance Act 2004 (c.12). As to the commutation limit, *see* paragraph 7(4) of Part 1 of Schedule 29 to that Act.