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SCHEDULE 1

THE NEW FIREFIGHTERS' PENSION SCHEME (ENGLAND)

PART 4

SURVIVORS' PENSIONS

CHAPTER 2

CHILDREN'S PENSIONS

Amount of child's pension

8.—(1) The amount payable by way of a child's pension under this Chapter is—

(a) where the deceased died while employed as a firefighter member and there is one eligible child, one quarter of the ill–health pension to which the member would have been entitled under rule 2 of Part 3 had he retired with the benefit of a higher tier ill–health award on the day after that on which he died;

(b) where the deceased died while employed by an authority as a firefighter member and there is more than one eligible child, one half of the ill–health pension to which the member would have been entitled under rule 2 of Part 3 had he retired with the benefit of a higher tier ill–health award on the day after that on which he died, divided by the number of eligible children;

(c) in any other case, subject to paragraphs (2) and (3)—

(i) if there is one eligible child, one quarter of the pension to which the deceased was entitled on the day he died (whether or not, in the case of a deferred pension, the pension had come into payment);

(ii) if there is more than one eligible child, one half of the pension to which the deceased was entitled on the day he died (whether or not, in the case of a deferred pension, the pension had come into payment) divided by the number of eligible children.

(2) Where a portion of the deceased's pension had been commuted under rule 9 of Part 3, the amount is—

(a) if there is one eligible child, one quarter of the uncommuted portion;

(b) if there is more than one eligible child, one half of the uncommuted portion, divided by the number of eligible children.

(3) Where the deceased had taken member-initiated early retirement, the amount is—

(a) if there is one eligible child, one quarter of the amount of the pension which the deceased would have received if there had been no actuarial reduction;

(b) if there is more than one eligible child, one half of the amount of the pension which the deceased would have received if there had been no actuarial reduction, divided by the number of eligible children;

(c) where a portion of the deceased's pension had been commuted, and there is one eligible child, the amount found by dividing by 4 the product of A and B;

(d) where a portion of the deceased's pension had been commuted, and there is more than one eligible child, the amount found by dividing the product of A and B by 2 and then dividing the resultant amount by the number of eligible children.

(4) In paragraph (3)(c) and (d)—

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A is the amount which the deceased would have received if there had been no actuarial reduction; and

B is the fraction which represents the uncommuted portion of A expressed as a fraction of A.