

SCHEDULE 1

THE NEW FIREFIGHTERS' PENSION SCHEME (ENGLAND)

PART 7

RESERVISTS

Continuity of employment

2.—(1) For the purposes of this Scheme, a reservist shall be treated as having continued, throughout his forces period—

- (a) to be a firefighter; and
- (b) for the purposes of his pensionable service under Part 10, to be employed by his former authority.

(2) Where, before his forces period, a reservist had elected to purchase additional service under Chapter 2 of Part 11 by periodical contributions, his forces period is not reckonable as pensionable service unless the contributions payable in respect of it are paid (whether during his forces period or, if the authority have agreed that contributions may be discontinued as mentioned in paragraph (2) of rule 8 of Part 11 (discontinuance period not exceeding six months), in accordance with that paragraph).

(3) For the purposes of calculating the amount of a reservist's pension contributions under rule 3 of Chapter 1 of Part 11—

- (a) the pay that he would have received from his former authority during his forces period shall be regarded as his pay for that period (his "notional pay"); and
- (b) in respect of any period during his forces period in which the aggregate of—
 - (i) his actual pay; and
 - (ii) any payments he receives under section 4 of the 1996 Act,

is less than his notional pay for that first-mentioned period, he shall be treated as having no pensionable pay (and, accordingly, no liability to make pension contributions)⁽¹⁾.

(1) See, as to pension payments, regulation 5 of the Reserve Forces (Call-out and Recall) (Financial Assistance) Regulations 2005 (S.I. 2005/859).