STATUTORY INSTRUMENTS

2014 No. 2848

PUBLIC SERVICE PENSIONS, ENGLAND

The Firefighters' Pension Scheme (England) Regulations 2014

Made---23rd October 2014Laid before Parliament28th October 2014Coming into force1st April 2015

THE FIREFIGHTERS' PENSION SCHEME (ENGLAND) REGULATIONS 2014

PART 1

- 1. Citation and commencement
- 2. Establishment of Firefighters' Pension Scheme 2015
- 3. Interpretation

PART 2

- 4. Scheme manager
- 5. Delegation

PART 3

CHAPTER 1

- 6. Scheme employment
- 7. Eligible persons
- 8. Service in two or more scheme employments

- 9. Application of Chapter
- 10. Interpretation of Chapter
- 11. Automatic enrolment
- 12. Opting into this scheme

- 13. Automatic re-enrolment
- 14. Opting out of this scheme
- 15. Opting out before the end of the first three months
- 16. Opting out after the first three months

CHAPTER 3

- 17. Pensionable pay
- 18. Meaning of "assumed pensionable pay"

CHAPTER 4

- 19. Active membership
- 20. Deferred membership
- 21. Pension credit member

PART 4

CHAPTER 1

22. Description of pension

CHAPTER 2

23. Calculation of amount of accrued pension for purpose of deferment or retirement

CHAPTER 3

- 24. Calculation of "retirement index adjustment"
- 25. Calculation of "retirement PIA index adjustment"
- 26. Determination of "the age addition"
- 27. Determination of "the assumed age addition"

CHAPTER 4

- 28. Establishment of pension accounts: general
- 29. Closure and adjustment of pension accounts on transfer out or repayment of balance of contributions

- 30. Application of Chapter
- 31. Establishment of active member's account
- 32. Receipt of a transfer value payment
- 33. Receipt of a club transfer value payment

- 34. Amount of pension for a scheme year
- 35. Opening balance, index adjustment and age addition
- 36. Ill-health award ceases to be payable
- 37. Closure and re-establishment of active member's account

CHAPTER 6

- 38. Establishment of added pension account
- 39. Account to specify amount of added pension
- 40. Account to specify opening balance and PIA index adjustment
- 41. Closure and transfer of added pension account
- 42. Ill-health pension ceases to be payable

CHAPTER 7

- 43. Application of chapter
- 44. Establishment of deferred member's account
- 45. Provisional amount of deferred pension
- 46. Retirement amount of deferred pension
- 47. Adjustment of account after early payment of deferred pension ceases
- 48. Account established after ill-health award ceases to be payable
- 49. Closure of deferred member's account after gap in pensionable service not exceeding five years

CHAPTER 8

- 50. Establishment of retirement account and other adjustments
- 51. Account to specify amount of retirement pension (active members)

CHAPTER 9

- 52. Establishment of survivor member's account
- 53. Amount of pension payable to survivor member

CHAPTER 10

- 54. Establishment of pension credit member's account
- 55. Other pension accounts

PART 5

- 56. Application of Part
- 57. Qualifying service

CHAPTER 2

E 0	TD 42.41		•
58.	Entitlement	to retirement	nengion
<i>J</i> 0.	Littletiletile	to retirement	pension

- 59. Annual rate of retirement pension (active members)
- 60. Annual rate of retirement pension (deferred members)
- 61. Early payment reduction
- 62. Employer initiated retirement

CHAPTER 3

- 63. Exercise of partial retirement option
- 64. Annual rate of retirement pension after exercise of partial retirement option

CHAPTER 4

- 65. Entitlement to lower tier ill-health pension and higher tier ill-health pension
- 66. Annual rate of ill-health awards
- 67. Early payment of retirement pension to deferred member
- 68. Review of ill-health award or early payment of retirement pension
- 69. Consequences of review

CHAPTER 5

- 70. Commencement of pensions
- 71. Option to commute part of pension

CHAPTER 6

- 72. Allocation election
- 73. Making an allocation election
- 74. Effect of allocation
- 75. Adjustment of allocated benefit

PART 6

CHAPTER 1

- 76. Meaning of "surviving partner"
- 77. Meaning of "initial period"

- 78. Surviving partner's pension payable on death of active member
- 79. Surviving partner's pension payable on death of deferred member
- 80. Surviving partner's pension payable on death of pensioner member
- 81. Bereavement pension: surviving partner

- 82. Reduction in pensions in cases of wide age disparity
- 83. Survivor's guaranteed minimum pensions

CHAPTER 3

- 84. Eligible child's pension
- 85. Meaning of "eligible child"
- 86. Eligible child's pension on death of active member
- 87. Eligible child's pension payable on death of deferred member
- 88. Eligible child's pension payable on death of pensioner member
- 89. Specified proportion
- 90. Increase in eligible child's pension where there is no surviving partner
- 91. Increase in eligible child's pension where member was pension debit member
- 92. Bereavement pension: eligible child

CHAPTER 4

- 93. Meaning of "final pay"
- 94. Meaning of "annualised final pay"
- 95. Person to whom lump sum death benefit payable
- 96. Lump sum payable on death of active member
- 97. Lump sum payable on death of pensioner member
- 98. Lump sum payable on death in certain cases
- 99. Lump sum payable on death of pension credit member

CHAPTER 5

- 100. Payment of pensions under this Part
- 101. Surviving partner's pensions and eligible child's pensions: suspension and recovery
- 102. Provisional awards of eligible child's pensions: later adjustments
- 103. Adjustment of eligible child's awards consequent on re-instatement of pension benefits
- 104. Adjustment of benefits to comply with FA 2004 where members die over 75

PART 7

- 105. Entitlement to pension credit members' pension
- 106. Annual rate of pension credit member's pension
- 107. Reduction in pension debit member's benefits
- 108. Pension credit member's rights
- 109. Commutation of part of pension

PART 8

CHAPTER 1

- 110. Member contributions
- 111. Contributions during absence from work due to illness, injury, trade dispute or authorised absence
- 112. Contributions during absence from work on reserve forces service leave
- 113. Contributions during child-related leave
- 114. Deduction and payment of contributions
- 115. Schedule 1 (payments for added pension)

CHAPTER 2

116. Refund of all member contributions and payments for extra pension made by member

CHAPTER 3

- 117. Employer contributions
- 118. Employer additional contribution: ill-health award
- 119. Refund of employer additional contribution for ill health award following review
- 120. Employer additional contribution: employer initiated retirement

PART 9

- 121. Interpretation of Part
- 122. Establishment of Firefighters' Pension Fund
- 123. Payments into the Firefighters' Pension Fund
- 124. Payments to be made from the Firefighters' Pension Fund
- 125. Information to be provided to the Secretary of State
- 126. Estimated deficits
- 127. Estimated surpluses
- 128. Actual deficits
- 129. Actual surpluses
- 130. Duty to provide information

PART 10

- 131. Application of Part
- 132. Interpretation in relation to Part

	CHAPTER 2
133. 134. 135. 136. 137. 138.	Transfer payments made to other schemes or pension arrangements Application for a statement of entitlement Statement of entitlement Request for transfer payment to be made Calculating the amount of a transfer value or club transfer value Effect of transfers-out
	CHAPTER 3
139. 140. 141. 142. 143. 144. 145.	Application of Chapter Interpretation of Chapter Request for acceptance of a transfer payment Transfer statement Amount of transferred pension Club transfer value statement Amount of club transfer earned pension

CHAPTER 4

146.	Requirement for scheme manager to provide a certificate	
147.	Request to confirm details on certificate	
148.	Appeal concerning entries on the certificate	
149.	Transfer of pension account entries	
	DA DT 11	

PART 11

150. Appointment of scheme actuary and actuarial valuations

PART 12

CHAPTER 1

IQMP

- 151. Determinations by the scheme manager
- 152. Role of IQMP in determinations by the scheme manager
- 153. Review of medical opinion

- 154. Appeals against determinations based on medical evidence 155. Notice of appeal 156. Reference of appeal to the board
- 157. Procedure where appeal to be pursued
- 158. The board's report
- 159. Reconsideration by the board
- Fees and allowances payable to the board 160.

161. 162.	Expenses of each party Notices etc				
	CHAPTER 3				
163.	Appeals on other issues				
	PART 13				
CHAPTER 1					
164. 165. 166. 167. 168. 169.	Late payment of retirement index adjustment Recovery of overpayment of benefits Guaranteed minimum pension Commutation of small pensions Payments for persons incapable of managing their affairs Payments due in respect of deceased persons Limitation on assignment of benefits				
	CHAPTER 2				
171. 172. 173. 174. 175. 176.	Forfeiture: offences committed by members, surviving partners or eligible children Forfeiture of pensions: offences committed by other persons Forfeiture of lump sum death benefit: offences committed by other persons Forfeiture: relevant monetary obligations and relevant monetary losses Set-off Forfeiture and set-off: procedure				
	CHAPTER 3				
177. 178. 179. 180. 181.	Scheme administrator for the purposes of the Finance Act 2004 Payment on behalf of members of lifetime allowance charge Reduction of benefits where lifetime allowance charge payable Information about payment of annual allowance charge Reduction of benefits where annual allowance charge paid by scheme manager				
CHAPTER 4					
182. 183. 184. 185. 186. 187.	Calculation of periods of membership and service Annual benefit information statements Evidence of entitlement Information to be provided to a member before reserve forces service leave Transitional provisions Duty to have regard to guidance				

Signature

SCHEDULES

SCHEDULE 1 — Payments for added pension

PART 1 — Interpretation

- 1. Interpretation
- 2. Meaning of "overall limit of extra pension"
- 3. Limit on elections
- 4. Amount of accrued added pension may not exceed overall limit of extra pension

PART 2

CHAPTER 1

Exercising the added pension election

5. Added pension election exercisable by member

CHAPTER 2

Periodical payments for added pension

- 6. Application of Chapter
- 7. Member's election to make periodical payments for added pension
- 8. Periodical payments
- 9. Discontinuance of periodical payments
- 10. Periodical payments during periods of assumed pensionable pay
- 11. Amount of added pension for a scheme year

CHAPTER 3

Lump sum payments for added pension

- 12. Application of Chapter
- 13. Member's election to make a lump sum payment for added pension
- 14. Amount of added pension to be credited to added pension account

SCHEDULE 2 — Transitional provisions

PART 1 — General

- 1. Interpretation
- 2. Meaning of "continuity of service"
- 3. Meaning of "tapered protection closing date"
- 4. Meaning of "eligible to be an active member" of the NFPS
- 5. Meaning of "active member of the 1992 Scheme or the NFPS"
- 6. Meaning of "active member of an existing scheme"
- 7. Meaning of "active member of an existing public body pension scheme"
- 8. Commencement of active membership of this scheme
 - PART 2 Full protection members of the 1992 Scheme or the NFPS
- 9. Full protection members of the 1992 Scheme or the NFPS
- 10. Exception for full protection member during protection period
- 11. Full protection member not eligible to join this scheme
- 12. Full protection: members of the 1992 Scheme or the NFPS on scheme closing date

- 13. Full protection: members of an existing scheme
- 14. Full protection: members of an existing public body pension scheme
 PART 3 Exceptions to section 18(1) of the 2013 Act: tapered protection
 members of the 1992 Scheme or the NFPS
- 15. Tapered protection members of the 1992 Scheme or the NFPS
- 16. Exception for tapered protection members during protection period
- 17. Tapered protection member not eligible to join this scheme
- 18. Tapered protection: members of the 1992 Scheme or the NFPS on scheme closing date
- 19. Tapered protection: members of an existing scheme
- 20. Tapered protection: members of an existing public body pension scheme
- 21. Tapered protection members of an existing scheme or an existing public body pension scheme

PART 4

Explanatory Note