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STATUTORY INSTRUMENTS

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**2023 No. 843**

**The Firefighters' Pensions  
(Remediable Service) Regulations 2023**

**Part 1**

**Introductory provisions**

**Citation, commencement and extent**

1. These Regulations—
  - (a) may be cited as the Firefighters' Pensions (Remediable Service) Regulations 2023;
  - (b) come into force on 1st October 2023;
  - (c) extend to England and Wales.

**Commencement Information**

- II** [Reg. 1](#) in force at 1.10.2023, see [reg. 1\(b\)](#)

**Interpretation**

- 2.—(1) In these Regulations—
  - “PSPJOA 2022” means the Public Service Pensions and Judicial Offices Act 2022;
  - “the 1992 Order” means the Firemen’s Pension Scheme Order 1992(1), and “the 1992 scheme” means the scheme established by that Order;
  - “the 2006 Order” means the Firefighters’ Pension Scheme (England) Order 2006(2), and “the 2006 scheme” means the scheme established by that Order;
  - “the 2014 Regulations” means the Firefighters’ Pension Scheme (England) Regulations 2014(3);
  - “the PSP Directions 2022” means the Public Service Pensions (Exercise of Powers, Compensation and Information) Directions 2022(4);
  - “deferred choice decision” has the meaning given in [regulation 12\(1\)](#);
  - “deferred choice decision-maker” means the person who may make a deferred choice decision under [regulation 12\(2\)](#);

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(1) [S.I. 1992/129](#).  
(2) [S.I. 2006/3432](#).  
(3) [S.I. 2014/2848](#).  
(4) Published on 15 December 2022 and accessible online at <https://www.gov.uk/government/publications/public-service-pensions-and-judicial-offices-act-2022-treasury-directions>. A hard copy is available on written request to His Majesty’s Treasury, 1 Horse Guards Road, London, SW1A 2HQ.

“deferred choice member” means a member with remediable service as a firefighter who, immediately before 1st October 2023, was—

- (a) an active or deferred member<sup>(5)</sup> in relation to that service, and
- (b) is not a pensioner member<sup>(6)</sup> in relation to that service;

“eligible child”, in relation to—

- (a) the 1992 scheme, means a person entitled to an award under Part D of Schedule 2 to the 1992 Order;
- (b) the 2006 scheme, has the meaning given in rule 6 of Part 4 of Schedule 1 to the 2006 Order;
- (c) the [F1reformed scheme], has the meaning given in regulation 85 of the 2014 Regulations;

“end of the section 10 election period”, in relation to a deferred choice member, means the time determined in accordance with—

- (a) where the member is the deferred choice decision-maker, [regulation 13\(3\)\(b\)](#);
- (b) where a person other than the member is the deferred choice decision-maker, [regulation 14\(2\)\(b\)](#);

a “firefighters’ pension scheme” means the 1992 scheme, the 2006 scheme or the reformed scheme;

“immediate choice decision” has the meaning given in [regulation 8\(1\)](#);

“immediate choice decision-maker” means the person who may make an immediate choice decision under [regulation 8\(2\)](#);

“immediate choice member” means a member with remediable service as a firefighter who, immediately before 1st October 2023, was—

- (a) a pensioner member in relation to that service, or
- (b) a deceased member;

the “legacy scheme”, in relation to a member, means whichever of the 1992 scheme or the 2006 scheme is the relevant Chapter 1 legacy scheme<sup>(7)</sup> for the member, and “legacy scheme benefits” means benefits calculated in accordance with that scheme;

“member” means an active, deferred, deceased or pensioner, but not a pension credit, member of a firefighters’ pension scheme;

“opted-out service election” has the meaning given in [regulation 6\(1\)](#);

the “reformed scheme” means the pension scheme established by the 2014 Regulations, and “reformed scheme benefits” means new scheme benefits<sup>(8)</sup> under the reformed scheme;

“remediable service as a firefighter” means, in relation to a member, the member’s remediable service<sup>(9)</sup> in an employment or office that is pensionable service<sup>(10)</sup> under a firefighters’ pension scheme;

“remedy member” means a deferred choice member or an immediate choice member;

“section 6 election” has the meaning given in [regulation 8\(1\)\(a\)](#);

“section 10 election” has the meaning given in [regulation 12\(1\)\(a\)](#).

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<sup>(5)</sup> See section 109(2) and (4) of PSPJOA 2022 for the meanings of “active member” and “deferred member”.

<sup>(6)</sup> See section 109(3) of the PSPJOA 2022 for the meaning of “pensioner member”.

<sup>(7)</sup> See section 4 of PSPJOA 2022 for the meaning of “the relevant Chapter 1 legacy scheme”.

<sup>(8)</sup> See section 34 of PSPJOA 2022 for the meaning of “new scheme benefits”.

<sup>(9)</sup> See section 1 of PSPJOA 2022 for the meaning of “remediable service”.

<sup>(10)</sup> See section 110(1) of PSPJOA 2022 for the meaning of “pensionable service”.

(2) For the purposes of these Regulations, a reference in PSPJOA 2022 to section 2(1) of that Act coming into force is to be understood as a reference to that section coming into force in relation to members of a firefighters' pension scheme.

(3) A term used in these Regulations which—

- (a) is defined in, or for the purposes of, a provision in Chapter 1 of Part 1 of PSPJOA 2022, and
- (b) is not defined differently in these Regulations,

has the meaning given in, or for the purposes of, that provision.

(4) A term used in these Regulations which—

- (a) is defined in the 1992 Order, the 2006 Order or the 2014 Regulations (“the relevant Regulations”), and
- (b) is not defined differently—

(i) in these Regulations, or

(ii) in, or for the purposes of, a provision in Chapter 1 of Part 1 of PSPJOA 2022,

has, in relation to the scheme established by the relevant Regulations, the meaning given in those Regulations.

(5) In these Regulations, a reference to a provision of the PSP Directions 2022 is a reference to that provision as amended from time to time.

#### Textual Amendments

- F1** Words in [reg. 2\(1\)](#) substituted (9.2.2024) by [The Police and Firefighters' Pensions \(Remediable Service\) \(Amendment\) Regulations 2024 \(S.I. 2024/59\)](#), regs. [1\(2\)](#), [3\(2\)](#)

#### Commencement Information

- I2** [Reg. 2](#) in force at 1.10.2023, see [reg. 1\(b\)](#)

### Delegation

**3.** The scheme manager may delegate any functions of the scheme manager under these Regulations, including this power to delegate.

#### Commencement Information

- I3** [Reg. 3](#) in force at 1.10.2023, see [reg. 1\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Firefighters' Pensions (Remediable Service) Regulations 2023, Part 1.