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STATUTORY INSTRUMENTS

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**2023 No. 843**

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

**Part 3**

Decisions about the treatment of remediable service as a firefighter

Chapter 3

Deferred choice decision for reformed scheme or legacy scheme benefits

**Deferred choice decision to be made by M**

- 13.—**(1) [This regulation](#) applies where M is the deferred choice decision-maker.
- (2) M must notify the scheme manager in a form and manner determined by the scheme manager that M intends to claim benefits in relation to M's remediable service as a firefighter—
- (a) during the period between 6 and 3 months before the date M intends such benefits to become payable, or
  - (b) during such other period that the scheme manager considers reasonable in all the circumstances.
- (3) A deferred choice decision may only be made during the period—
- (a) beginning on the date a remediable service statement is issued under [regulation 4\(2\)\(c\)\(i\)](#), and
  - (b) ending—
    - (i) at the end of the day 12 weeks after that date,
    - (ii) subject to [paragraph \(5\)](#), at the end of such other day as the scheme manager considers reasonable in all the circumstances, or
    - (iii) if earlier than the time which applies by virtue of [paragraph \(i\)](#) or [\(ii\)](#), at the end of the day before benefits become payable in relation to M's remediable service as a firefighter.
- (4) The end of the period during which a deferred choice election decision may be made must not be more than one year before the day on which it is reasonably expected that, if a section 10 election were made, reformed scheme benefits would become payable to or in respect of M.
- (5) A deferred choice decision made by M may be revoked—
- (a) up to 10 working days before benefits become payable in relation to M's remediable service as a firefighter, and
  - (b) by M communicating to the scheme manager notice of the revocation in a form and manner determined by the scheme manager.
- (6) Where the scheme manager receives notice that M has died before any benefits have become payable in relation to M's remediable service as a firefighter—

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**Changes to legislation:** There are currently no known outstanding effects for the 'The Firefighters' Pensions (Remediable Service) Regulations 2023, Section 13. (See end of Document for details)

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- (a) any deferred choice decision made by M lapses, and
- (b) any period that has begun (whether or not it has also ended) in accordance with [paragraph \(3\)](#) is to be treated as never having begun (or ended).

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**Commencement Information**

**II** [Reg. 13](#) 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, Section 13.