
STATUTORY INSTRUMENTS

2006 No. 3432

**FIRE AND RESCUE SERVICES, ENGLAND
PENSIONS, ENGLAND**

The Firefighters' Pension Scheme (England) Order 2006

Made - - - - 19th December 2006
Laid before Parliament 4th January 2007
Coming into force 25th January 2007

**THE FIREFIGHTERS' PENSION
SCHEME (ENGLAND) ORDER 2006**

1. Citation, commencement and application
 2. New pension scheme for firefighters in England
 3. 1992 scheme ceasing to have effect in England, with savings
 4. Continuation of schemes for retained firefighters
- Signature

SCHEDULE 1 — THE NEW FIREFIGHTERS' PENSION SCHEME (ENGLAND)

PART 1

1. Citation
2. Interpretation
3. Disablement

PART 2

1. Scheme membership
2. Eligibility conditions
3. Normal retirement age and normal benefit age
4. Last day of membership
5. Election not to make pension contributions
6. Rejoining the Scheme

PART 3

1. Ordinary pension
2. Award on ill-health retirement
3. Deferred pension
4. Cancellation of deferred pension
5. Pension on member-initiated early retirement

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6. Pension on authority-initiated early retirement
 7. Entitlement to two pensions
 8. Refund of aggregate pension contributions
 9. Commutation: general
 10. Commutation: small pensions
 11. Allocation of pension
 12. Pension debit members
- PART 4

CHAPTER 1

1. Pensions for surviving spouses, civil partners and nominated partners
2. Amount of survivor's pension: general
3. Amount of survivor's pension: special cases
4. Bereavement pension: survivors
5. Commutation of pensions for surviving spouses, civil partners and nominated partners

CHAPTER 2

6. Child's pension
 7. Child's pension: limitations and duration
 8. Amount of child's pension
 9. Bereavement pension: children
 10. Pension for child where no survivor's pension paid
 11. Child's pension in respect of pension debit member
 12. Commutation of child's pension
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1. Death grant
 2. Post-retirement death grant
- PART 6
1. Pension credit member's entitlement to pension
 2. Commutation of whole of pension credit benefits
 3. Commutation of part of pension credit benefits
 4. Application of general rules
 5. Post-retirement death grant: pension credit members
- PART 7
1. Interpretation of Part
 2. Continuity of employment
 3. Awards on death or permanent disablement
 4. Reservists who do not resume employment with their former authority
- PART 8
1. Interpretation of Part 8
 2. Determinations and decisions by fire and rescue authority
 3. Review of medical opinion
 4. Appeals against decisions based on medical advice
 5. Appeals on other issues
- PART 9
1. Review of ill-health pension
 2. Consequences of review
 3. Withdrawal of pension during service as firefighter

4. Withdrawal of early payment of deferred pension
5. Withdrawal of pension on conviction of certain offences
6. Forfeiture of award

PART 10

1. Qualifying service
2. Reckoning of pensionable service
3. Non-reckonable service
4. Reckoning of unpaid period of absence
5. Reckoning of maternity, paternity and adoption leave, etc
6. Calculation of pensionable service

PART 11

CHAPTER 1

1. Pensionable pay
2. Final pensionable pay
3. Pension contributions
4. Optional pension contributions during maternity and adoption leave

CHAPTER 2

5. Purchase of additional service
6. Election to purchase additional service
7. Duration of periodical contributions and premature cessation
8. Discontinuance and resumption of periodical contributions
9. Periodical contributions in respect of periods of unpaid service or absence
10. Effect of purchasing additional service by lump sum payment

PART 12

CHAPTER 1

1. Interpretation of Part 12
2. Entitlement to transfer value payment

CHAPTER 2

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4. Applications for transfer value payments
5. Ways in which transfer value payments may be applied
6. Calculating amounts of transfer value payments
7. Effect of transfers-out

CHAPTER 3

8. Applications for acceptance of transfer value payment from another scheme
9. Procedure for applications under rule 8
10. Acceptance of transfer value payments
11. Calculation of transferred-in pensionable service

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CHAPTER 4

12. Transfer of pension history between English authorities

CHAPTER 5

13. Interpretation of Chapter 5
14. Mis-sold pensions
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 - PART 13
 1. Firefighters' Pension Fund: payments, receipts and transfers
 2. Payments and transfers into Firefighters' Pension Fund
 3. Transfers from Firefighters' Pension Fund
 4. Excess amounts: information
 5. Excess amounts: estimated deficits
 6. Excess amounts – estimated surpluses
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 - PART 14
 1. Authorities responsible for payment of awards
 2. Deduction of tax and lifetime allowance charges
 3. Payment of awards
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 5. Payments for minors and persons incapable of managing their affairs
 6. Payment of awards; further supplementary provision
 - PART 15
 1. Guaranteed minimum pensions, etc.
 2. Survivors' guaranteed minimum pensions
 3. Information for authorities
 4. Annual benefit statements
 5. Death of retained or volunteer firefighter before Firefighters' Pension Scheme (England) Order 2006 in force
 6. Death on or before 31st March 2007 of retained or volunteer firefighter employed before 6th April 2006
- ANNEX 1 — ILL-HEALTH PENSIONS
 1. (1) Except in a case to which sub-paragraph (2) applies,...
 2. The annual amount of the higher tier ill-health pension of...
 3. The annual amount of the higher tier ill-health pension of...
- ANNEX 2 — APPEALS TO BOARD OF MEDICAL REFEREES
 1. (1) Subject to sub-paragraph (2), written notice of appeal against...
 2. (1) On receiving a notice of appeal, the authority shall...
 3. (1) The board shall consist of not less than three...
 4. (1) As soon as reasonably practicable after referring an appeal...
 5. Where an appeal is to be pursued, the board shall...
 6. (1) Subject to sub-paragraph (4), the board—
 7. (1) Where either party intends to submit written evidence or...
 8. (1) The board shall supply the Secretary of State with—...
 9. (1) There shall be paid to the board and the...
10. (1) Subject to paragraph 7(3) and sub-paragraphs (2) to (5)...

11. Any notice, information or document which an appellant is entitled...

SCHEDULE 2 — TRANSITIONAL ARRANGEMENTS

1. Regular firefighters who became members of the 1992 scheme on or after 6th April 2006
2. Options for active members of the 1992 Scheme
3. Calculation of transferred-in pensionable service

Explanatory Note