

SCHEDULE

Amendment of the Firefighters' Pension Scheme Order (Northern Ireland) 2007

9. In Part I (servicemen)—

(1) In this Part, in each place where it occurs, for “serviceman” or “servicemen” substitute “reservist” or “reservists” as the case may be.

(2) In article 68 (preliminary), in paragraph (1), for “the armed forces” substitute “the reserve forces”.

(3) For article 69 (awards to servicemen), substitute—

“Awards on permanent disablement

69. A reservist who, at the end of his forces period, is permanently disabled for performing the duties of a firefighter by reason of an infirmity that—

- (a) is unrelated to any injury received during his forces period; and
- (b) is not a qualifying injury,

is entitled to an award under article 15 (ill health award).”.

(4) In article 70 (awards on death of servicemen);

- (a) in paragraph (2) for “paragraphs (4) and” substitute “paragraph”;
- (b) in paragraph (3) omit “Subject to paragraph (4)”;
- (c) omit paragraph (4);
- (d) in paragraph (5) omit “mentioned in paragraph (4)(a)”;
- (e) in paragraph (6) omit “under paragraph (4)(b)”.

(5) In article 71 (servicemen who do not resume service in the fire and rescue service), in paragraph (1) omit “Subject to paragraph (3)” and omit paragraph (3).

(6) In article 73 (pension contributions), for paragraph (2) substitute—

“(2) A reservist shall for those purposes be treated as having received no pensionable pay (and accordingly is not liable to pay contributions) in respect of any period during which his service pay is less than the pensionable pay described in paragraph (1)”.

(7) After article 73, add—

“Interpretation of Part I

73A. In this Part—

“the 1996 Act” means the Reserve Forces Act 1996(1);

“qualifying injury” means an injury, received by a person in the performance of his duties as a firefighter, which is not wholly or mainly due to his own culpable negligence or misconduct;

“relevant service in the reserve forces” means service in the forces specified in section 1(2) of the 1996 Act—

- (a) in pursuance of a training obligation under Part 3 of that Act, or
- (b) by virtue of a call out for permanent service or a recall under Part 2 of the Reserve Forces Act 1980(2) or Part 6 or Part 7 of the 1996 Act; and

(1) 1996 c.14.

(2) 1980 c.9; prospectively repealed by the 1996 Act as from a date to be appointed.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“reservist” means a person who, immediately before a forces period, was a firefighter.”.