

## SCHEDULE

### AMENDMENTS TO THE FIREMEN'S PENSION SCHEME

#### *Part G: Pensionable pay and contributions*

- 15.—(1) In rule G1 (pensionable pay and average pensionable pay)—
- (a) in paragraph (1), for “his pay” substitute “the pay he receives (whether as a whole-time or part-time member of a brigade)”;
  - (b) after paragraph (2), insert—

“(2A) For the purposes of rule G2, the pensionable pay of a regular firefighter during a period of maternity, paternity or adoption leave shall be deemed to be the pay to which the person is entitled for that period including any statutory maternity, paternity or adoption pay under the Social Security Contributions and Benefits Act 1992(1).”;
  - (c) in paragraph (3), for “during” substitute “for”; and
  - (d) for paragraph (6) substitute—

“(6) For the purposes of paragraphs (3) and (5), any reduction of pensionable pay as a result of any—

    - (a) sick leave;
    - (b) stoppage of pay by way of punishment;
    - (c) ordinary maternity, ordinary adoption or paternity leave;
    - (d) paid additional maternity or additional adoption leave; or
    - (e) unpaid additional maternity or additional adoption leave where contributions have been paid under rule G2A,

shall be disregarded.”.
16. After rule G2 (pension contributions), insert—
- “Optional pension contributions during maternity and adoption leave**
- G2A.—**(1) A regular firefighter who—
- (a) is on maternity or adoption leave, which would not otherwise count as pensionable service under rule F2A; and
  - (b) who, for the whole or part of the leave period, is not entitled to receive pay (including any statutory maternity or adoption pay under the Social Security Contributions and Benefits Act 1992),
- may elect to pay pension contributions in respect of that leave period.
- (2) The contributions shall be calculated by applying rule G2 to the pensionable pay (including any statutory maternity or adoption pay under the Social Security Contributions and Benefits Act 1992) received by him immediately before the start of the unpaid period in question.
- (3) An election must be made by giving notice in writing to the fire authority before the expiry of the period of 30 days (or such longer period as the fire authority may allow) beginning with—
- (a) the day on which he returns to work, or

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(1) 1992 c. 4.

*Status: This is the original version (as it was originally made).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

(b) if he does not return to work after the leave period, the day he ceases to be employed by the fire authority.

(4) Where the person dies before the end of the period in paragraph (3) without having given the required notice, he shall be deemed to have given the notice and to have paid the contributions.

(5) On receipt of the notice, the fire authority shall calculate the amount of contributions due and shall give notice in writing of that amount to the person concerned.

(6) Where the full amount of contributions due has not been paid within 6 months of the date of the notice in paragraph (5), the person concerned shall be entitled to reckon as pensionable service such proportion of the period in respect of which contributions were due, as the contributions paid relate to the total amount of contributions due.

(7) Where the period of additional maternity or additional adoption leave ended prior to 1 October 2004, the provisions of this rule shall apply where the person gives written notice to his fire authority (or, if he has left, to the fire authority by whom he was last employed) by 1 January 2005.”

**17.** In rule G7 (payment of periodical contributions for increased benefits), after paragraph (3), insert—

“(3A) If the lump sum payment under paragraph (3) is not paid within 3 months of the date that payment of periodical contributions commenced, that portion of the election shall be treated as not having been made.”