

SCHEDULE

AMENDMENTS TO SCHEDULE 1 TO THE FIREFIGHTERS' COMPENSATION SCHEME (SCOTLAND) 2006

16. In Schedule 2 to Part 3, for Part 2 (award for surviving spouse or civil partner of post-retirement marriage or civil partnership) substitute—

“PART 2

AWARD FOR SURVIVING SPOUSE OF POST-RETIREMENT MARRIAGE WHERE DECEASED A MEMBER OF THE 1992 SCHEME BUT NOT A MEMBER OF THE 2006 SCHEME

1.—(1) Where the surviving spouse of a person who—

- (a) was a member of the 1992 Scheme; but
- (b) was not a member of the 2006 Scheme,

would otherwise have been entitled to a special award under rule 1 of Part 3 or an augmented award under rule 2 of that Part, the amount of the surviving spouse’s pension under that Part shall, subject to sub paragraph (2), be calculated in accordance with paragraph 1 of Part 1 of Schedule 3 to the 1992 Scheme (spouse’s ordinary pension) in the same way as that of an ordinary pension.

(2) For the purposes of this paragraph, paragraph 1 of Part 1 of Schedule 3 to the 1992 Scheme has effect—

- (a) as if the reference in sub paragraph (1)(a) to the base pension were a reference to the appropriate proportion of the base pension; and
- (b) as if the base pension were the ill health pension to which the deceased would have been entitled if the deceased had, when the deceased ceased to serve, retired because the deceased was disabled in circumstances entitling the deceased to such a pension.

2. The appropriate proportion mentioned in paragraph 1(2)(a) is the proportion which the deceased’s relevant pensionable service bears to the deceased’s total pensionable service.”.