

## SCHEDULE

### Amendment of Schedule 2 to the Firemen's Pension Scheme Order 1992

#### 4. After rule P4 (authorisation of payment of GMP related payments) insert–

##### **“Increased Pension Entitlement**

**P5.**—(1) Subject to paragraphs (3) and (4), a person to whom this Part applies is entitled to an Increased Pension Entitlement calculated in accordance with paragraph (2).

(2) The Increased Pension Entitlement is an amount equal to the basic rate of a pension which, if that pension had been increased by the amount of any increase under section 1 of the 1971 Act and the existing Orders, would result in an annual amount being paid to the person in relation to the tax year 2009–10 which equals the Protected Sum.

(3) Where the person's entitlement to a pension ceases under this Scheme, the person is not entitled to receive any payment of an amount of the Increased Pension Entitlement in respect of any period after the date on which the entitlement to that pension ceases.

(4) Where the person's pension, or any proportion of the pension is forfeited under this Scheme, either permanently or temporarily, the same proportion of the Increased Pension Entitlement is forfeited for the same period.

(5) For the purposes of paragraph (2) of this rule “pension” has the meaning given by section 8 of the 1971 Act and begins at the time stated in section 8(2) of that Act.

(6) In this rule–

- (a) “Protected Sum” is the amount equal to the annual amount of the GMP related payment for the tax year 2009–10; and
- (b) the annual amount of the GMP related payment for the tax year 2009–10 is the amount that the relevant fire and rescue authority would have paid to the persons in the tax year 2009–10 if that authority had, in relation to that complete tax year, applied the existing Orders as if the person was not entitled to a guaranteed minimum pension.

##### **Increased Pension Entitlement – further provision**

**P6.**—(1) An Increased Pension Entitlement is payable by the relevant fire and rescue authority.

(2) An Increased Pension Entitlement is payable for life and shall be discharged by payments at such reasonable intervals as the relevant fire and rescue authority may, in their discretion, determine except that payment on account of an Increased Pension Entitlement may be delayed, in whole or in part, pending the determination of any question as to the liability of the relevant fire and rescue authority in respect thereof, including any question as to the continuance of that liability.

(3) Neither the Increased Pension Entitlement nor any proportion of it may be commuted for a lump sum.”.