

1974 No. 309

FIRE SERVICES

The Firemen's Pension Scheme (Modification) Order 1974

<i>Made</i> - - -	26th February 1974
<i>Laid before Parliament</i>	6th March 1974
<i>Coming into Operation</i>	7th March 1974

In exercise of the powers conferred on me by section 254 of the Local Government Act 1972(a), I hereby make the following Order:—

1. This Order may be cited as the Firemen's Pension Scheme (Modification) Order 1974 and shall come into operation on 7th March 1974.

2.—(1) In this Order the expression “the principal Scheme” means the Firemen's Pension Scheme 1973, set out in Appendix 2 to the Firemen's Pension Scheme Order 1973(b), as amended(c), and other expressions have the same meanings as in that Scheme.

(2) The Interpretation Act 1889(d) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3. This Order shall apply where the council of a county established by the Local Government Act 1972 (hereinafter referred to as a new county council)—

- (a) has, with effect from 1st April 1974, appointed a person a regular fireman in their fire brigade, as chief officer thereof or in such rank as may have been specified; and
- (b) is employing that person (hereinafter referred to as the fire officer designate) pending his taking up that appointment.

4. As respects any period beginning on or after 7th March 1974 and ending before 1st April 1974 the principal Scheme shall have effect in relation to a fire officer designate who is not a member of a fire brigade as if—

- (a) the new county council were a fire authority maintaining a fire brigade, and
- (b) he was serving as a regular fireman in that brigade and his appointment therein had taken effect.

5.—(1) A fire officer designate may, by notice in writing given to the new county council concerned before 1st April 1974, elect that this Article shall have effect in his case as respects any period beginning with his appointment and employment as mentioned in Article 3 above and ending immediately before 7th March 1974 during which he was not a member of a fire brigade.

(a) 1972 c. 70.
(c) S.I. 1973/1814 (1973 III, p. 5536).

(b) S.I. 1973/966 (1973 II, p.2906).
(d) 1889 c. 63.

(2) Where a fire officer designate so elects then, as from the date of his election, the principal Scheme shall have effect in relation to him, as respects the period mentioned in paragraph (1) above, as modified by the preceding Article subject, however, to his paying pension contributions in respect of that period under the principal Scheme as so modified.

Robert Carr,
One of Her Majesty's Principal
Secretaries of State.

Home Office,
Whitehall.
26th February 1974.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for the application of the Firemen's Pension Scheme 1973 in the case of a person appointed to a fire brigade to be maintained by a new county council with effect from 1st April 1974 where he has entered that council's employment before that date.

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