

2013 No. 703

FIRE AND RESCUE SERVICES, ENGLAND
PENSIONS, ENGLAND

The Firefighters' Pension Scheme (Amendment) (England)
Order 2013

<i>Made</i>	- - - -	<i>25th March 2013</i>
<i>Laid before Parliament</i>		<i>27th March 2013</i>
<i>Coming into force</i>	- -	<i>1st April 2013</i>

The Secretary of State, in exercise of the powers conferred by sections 26(1) to (5) of the Fire Services Act 1947(a), makes the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Firefighters' Pension Scheme (Amendment) (England) Order 2013.

(2) This Order shall come into force on 1st April 2013.

Amendment of the Firemen's Pension Scheme Order 1992

2. Schedule 2 to the Firemen's Pension Scheme Order 1992(b) (in which the Firefighters' Pension Scheme is set out), as it has effect in England(c), shall be amended in accordance with article 3 of this Order.

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- (a) 1947 c.41, repealed by section 52 of, and Schedule 2 to, the Fire and Rescue Services Act 2004 (c.21). Subsections (1) to (5) of section 26 continue to have effect, in relation to England and Scotland, for the purposes of the scheme established under that section as the Firemen's Pension Scheme and set out in the Firemen's Pension Scheme Order 1992 (S.I. 1992/129), by article 3 of S.I. 2004/2306. The name of the scheme was changed to the Firefighters' Pension Scheme, by article 4(1) of S.I. 2004/2306. Section 26 of the 1947 Act was amended by section 1 of the Fire Services Act 1951 (c.27), section 42 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c.65), section 33 of, and Schedule 3 to, the Theft Act 1968 (c.60), sections 16 and 29 of, and Schedule 8 to, the Superannuation Act 1972 (c.11), section 100 of, and Schedule 27 to, the Social Security Act 1973 (c.38), section 1 of, and Schedule 1 to, the Social Security (Consequential Provisions) Act 1975 (c.18), section 32 of the Magistrates' Courts Act 1980 (c.43), section 1 of the Police and Firemen's Pensions Act 1997 (c.52), and Schedule 25 to the Civil Partnership Act 2004 (c.33), and article 2 of the Social Security (Modification of Fire Services Act 1947) Order 1976 (S.I. 1976/551).
- (b) S.I. 1992/129; amended by S.I. 1997/2309 and 2851, 1998/1010, 2001/3649 and 3691, 2004/1912, 2006/1810 and 3433, 2008/214 and 2012/953. The Scheme was made under section 26 of the Fire Services Act 1947 (c.41).
- (c) The Secretary of State's functions under section 26 of the Fire Services Act 1947, in so far as they were exercisable in relation to Scotland, were devolved to Scottish Ministers by section 63 of the Scotland Act 1998 (c.46) and article 2 of, and Schedule 1 to, the Scotland Act 1998 (Transfer of Functions to Scottish Ministers etc) Order 1999 (S.I. 1999/1750). The Secretary of State's functions under section 3(5) of the Fire Services Act 1947 are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously vested in the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry for the Fire Services Act 1947 in Schedule 1 to that Order. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), they were transferred to the Welsh Ministers.

3. For the Table in paragraph 3 of Part A1 of Schedule 8 substitute the following Table—

<i>Pensionable pay</i>	<i>Contribution rate from 1st April 2013</i>
Up to and including £15,000	11.0 % of pensionable pay
More than £15,000 and up to and including £21,000	11.9 % of pensionable pay
More than £21,000 and up to and including £30,000	12.9 % of pensionable pay
More than £30,000 and up to and including £40,000	13.2 % of pensionable pay
More than £40,000 and up to and including £50,000	13.5 % of pensionable pay
More than £50,000 and up to and including £60,000	13.7 % of pensionable pay
More than £60,000 and up to and including £100,000	14.1 % of pensionable pay
More than £100,000 and up to and including £120,000	14.5 % of pensionable pay
More than £120,000	15.0 % of pensionable pay

Signed by authority of the Secretary of State for Communities and Local Government

Brandon Lewis

Parliamentary Under Secretary of State

Department for Communities and Local Government

25th March 2013

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Firefighters' Pension Scheme 1992 (set out in Schedule 2 to the Firemen's Pension Scheme Order 1992) as it has effect in England.

The amendment is to provide a different rate for pension contributions payable by members of the Firefighters' Pension Scheme which increase according to the amount of pensionable pay which the member receives. The contribution rates are specified in the Table in paragraph 3 of Part A1 of Schedule 8.

In addition, a new band of pensionable pay has been created so that those firefighters who earn more than £15,000 and up to and including £21,000 will pay a lower rate than those earning more than £21,000 and up to and including £30,000.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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