1952 No. 607

The Fire Services (Transfer of Pension Assets) (Police Firemen) Regulations, 1952

Made - - - -	21*st March*, 1952
Laid before Parliament	22*nd March*, 1952
Coming into Operation	1*st April*, 1952

In pursuance of the powers conferred upon me by paragraphs 3 and 11 of the Fifth Schedule to the Fire Services Act, 1947(**a**), I hereby make the following Regulations:—

1. In respect of a person—

(*a*) who on the appointed day became a member of a fire brigade by appointment or by transfer under the Fire Services (Transfer of Persons) Regulations, 1948(**b**), or the Fire Services (Transfer of Persons) (Scotland) Regulations, 1948(**c**), and

(*b*) to whom the National Fire Service (Preservation of Pensions) (Police Firemen) Regulations, 1941(**d**), applied immediately before that date,

the former pension authority shall pay to the fire authority maintaining the brigade of which he so became a member a transfer value calculated in accordance with the Schedule to these Regulations:

Provided that no payment shall be made under this Regulation in respect of a person to whom the National Fire Service (Preservation of Pensions) (Police Firemen) Regulations, 1941, applied by virtue of his membership of the police force of the county borough of Manchester, of Salford or of Newcastle-upon-Tyne immediately before his transfer to the National Fire Service.

2. In respect of liabilities under the Police Pensions Act, 1921(**e**), for pensions, allowances and gratuities in respect of members of a non-county borough fire brigade retiring or dying before the appointed day (which were transferred to a fire authority under paragaph 10 of the Fifth Schedule to the Fire Services Act, 1947), the former pension authority shall make payments to the fire authority equal to the payments made from time to time after the appointed day in respect of those pensions, allowances and gratuities:

Provided that where those pensions, allowances and gratuities are calculated on the assumption set out in paragraph (2) of Regulation 12 of the National Fire Service (Preservation of Pensions) Regulations, 1943(**f**), account shall only be taken of the payments which would have been so made if those pensions, allowances and gratuities had not been so calculated.

3. In respect of liabilities under the Police Pensions Act, 1921, for pensions, allowances and gratuities in respect of members of a county borough fire brigade retiring or dying before the appointed day calculated

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(**a**) 10 & 11 Geo. 6. c. 41 (**b**) S.I. 1948/332; Rev. VII, p. 724; 1948 I, p. 1185.
(**c**) S.I. 1948/875; Rev. VII, p. 846; 1948 I, p. 1188. (**d**) S.R. & O.1941/1271; 1941 I, p. 328.
(**e**) 11 & 12 Geo. 5. c. 31. (**f**) S.R. & O. 1943/1221; 1943 I, p. 274.

on the assumption set out in paragraph (2) of Regulation 12 of the National Fire Service (Preservation of Pensions) Regulations, 1943, the county borough fire authority shall make payments to the former pension authority equal to the difference between the payments made from time to time after the appointed day in respect of those pensions, allowances and gratuities and the payments which would have been so made had they not been so calculated.

4.—(1) In these Regulations the expression "appointed day" means in relation to England the first day of April, nineteen hundred and forty-eight, and in relation to Scotland the sixteenth day of May, nineteen hundred and forty-eight.

(2) In these Regulations the expression "former pension authority" means the authority liable immediately before the appointed day for meeting liabilities whether vested or contingent for pensions, allowances and gratuities under the Police Pensions Act, 1921, and in particular—

(*a*) in the case of Regulation 1, for meeting contingent liabilities in respect of a person therein mentioned, and

(*b*) in the case of Regulation 2 or Regulation 3, for meeting the liabilities therein mentioned.

5. Any payments under these Regulations to or by a former pension authority shall be made into or out of the police fund.

6. These Regulations may be cited as the Fire Services (Transfer of Pension Assets) (Police Firemen) Regulations, 1952, and shall come into operation on the first day of April, 1952.

David Maxwell Fyfe,

One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
21st March, 1952.

SCHEDULE

Transfer Values

1. The transfer value to be paid by a former pension authority under Regulation 1 shall be ascertained in accordance with the provisions of this Schedule.

2. The amounts shown in the second and third columns of the subjoined Table in relation to an age which corresponds with that of the fireman immediately before the appointed day are to be multiplied respectively by the number of completed years and number of completed months aggregating less than one year which the fireman was entitled to count in his period of approved service for the purposes of the Police Pensions Act, 1921, immediately before the appointed day:

Provided that in calculating the number of completed years and completed months which he was entitled to count in his period of approved service—

(i) any period by which his period of approved service exceeded twenty years but did not exceed thirty years shall be counted twice;

(ii) any period by which his period of approved service exceeded thirty years shall be ignored.

TABLE

Age	Amount in respect of each completed	
	Year	Month
	£ s. d.	£ s. d.
Under 35	22 11 0	1 18 0
35 and under 36...	22 12 0	1 18 0
36 „ „ 37...	22 14 0	1 18 0
37 „ „ 38...	22 16 0	1 18 0
38 „ „ 39...	22 18 0	1 18 0
39 „ „ 40...	23 0 0	1 18 0
40 „ „ 41...	23 2 0	1 19 0
41 „ „ 42...	23 4 0	1 19 0
42 „ „ 43...	23 6 0	1 19 0
43 „ „ 44...	23 8 0	1 19 0
44 „ „ 45...	23 11 0	1 19 0
45 „ „ 46...	23 14 0	2 0 0
46 „ „ 47...	23 18 0	2 0 0
47 „ „ 48...	24 3 0	2 0 0
48 „ „ 49...	24 9 0	2 1 0
49 „ „ 50...	24 15 0	2 1 0
50 „ „ 51...	24 19 0	2 2 0
51 „ „ 52...	25 1 0	2 2 0
52 „ „ 53...	25 2 0	2 2 0
53 „ „ 54...	25 3 0	2 2 0
54 and over	25 4 0	2 2 0

3. Seven-tenths of the sum of the two products aforesaid is the transfer value appropriate in respect of £100 of annual pay.

4. The total transfer value referred to in paragraph 1 of this Schedule is to be calculated proportionately by reference to the annual pay of the fireman.

5. In this Schedule the expression "annual pay" means the annual pay to which he would have been entitled immediately before the appointed day if he had remained a member of a police force, computed in accordance with the provisions of Regulation 13 of the National Fire Service (Preservation of Pensions) (Police Firemen) Regulations, 1941, as amended by the National Fire Service (Preservation of Pensions) (Police Firemen) Regulations, 1945(a), and the National Fire Service (Preservation of Pensions) (No. 2) Regulations, 1947(b).

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Regulation 1 of these Regulations provides that where a person to whom the National Fire Service (Preservation of Pensions) (Police Firemen) Regulations, 1941, applied, was transferred to a fire brigade on April 1st, 1948, (or, in Scotland on May 16th, 1948), the police authority shall pay a transfer value to the fire authority. Regulations 2 and 3 provide for the making of payments by certain police and fire authorities in respect of liabilities, under the Police Pensions Act, 1921, for pensions, allowances and gratuities in respect of members of a fire brigade retiring or dying before that date.

(a) S.R. & O. 1945/156; 1945 I, p. 388. (b) S.R. & O. 1947/824; 1947 I, p. 746.