EXPLANATORY MEMORANDUM TO

The Firefighters' Compensation Scheme (Amendment) (No 2) and the New Firefighters Pension Scheme (Amendment) (No 4) Order (Northern Ireland) 2015

SR 2015 No. 422

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Health, Social Services and Public Safety to accompany the Statutory Rules (details above) which are laid before the Northern Ireland Assembly.

1.2. The Statutory Rules are made under powers conferred by Article 10(1), (3), (4) and (5) of the Fire Services (Northern Ireland) Order 1984 and is subject to the negative resolution procedure.

2. Purpose

2.1. As a result of the implementation of the new 2015 Firefighters' Pension Scheme there are further amendments required to the existing Compensation Scheme and the New Firefighters' Pension Scheme to update provisions and terminology. The main amendments are:

The Firefighters' Compensation Scheme (FPCS)

- update provisions and terminology as a consequence of the introduction of the Firefighters' Pension Scheme Regulations (NI) 2015, to ensure that all firefighters, including those in the 2015 Scheme, and their qualifying survivors, are covered by the compensation scheme in the event of a qualifying injury or death in service;

The New Firefighters Pension Scheme (NFPS)

- clarify provisions in the NFPS;
- extend the period that members can elect to join the modified scheme, by identifying eligible members and extending the period for which they can make an election to pay additional pension contributions during the specified period in respect of their service during the specified period;
- clarify provisions relating to the payment of interest in respect of contributions payable during the period 6 April 2006 and the date that an eligible individual joined the NFPS;
- revise the NFPS pensionable pay bands to include a 1% annual uprating for the next four years from 1st April 2015.

3. Background

3.1. This Department has policy responsibility for Firefighters' pensions, which are administered by the Northern Ireland Fire and Rescue Service (NIFRS). Firefighters' pensions have, in line with other public sector pension schemes in Northern Ireland, operated on the basis of parity with their counterparts in England, Scotland and Wales.

3.2. The Firefighters'Pension Scheme regulations (Northern Ireland) 2015 ('the 2015 scheme') establishes a scheme for the payment of pensions and other benefits to, or in respect of firefighters in Northern Ireland.

3.3 As a result of the implementation of the new 2015 Firefighters Pension Scheme there are further amendments required to the existing Firefighters Pension Scheme, New Firefighters Pension Scheme and the Compensation Scheme to update provisions and terminology**.**

4. Consultation

The Regulations are based on the policy proposals for the 2015 Firefighters' Pension Scheme, which were consulted on from 6 October to 30 November 2014. A copy of the consultation document and a summary of responses can be found on the DHSSPS website.

https://www.dhsspsni.gov.uk/consultations/consultation-introduction-new-firefighters%E2%80%99-pension-scheme-april-2015

5. Equality Impact

The amendments to the Firefighters' Compensation Scheme (FCS) and The New Firefighters Pension Scheme (NFPS) Regulations will have no adverse differential impact on equality of opportunity.

6. Regulatory Impact

6.1. As the Order will impose no additional costs on businesses, charities or the voluntary sector a full Regulatory Impact Assessment has not been completed.

7. Financial Implications

7.1. There are no financial implications.

8. Section 24 of the Northern Ireland Act 1998

8.1. It is the view of the Department that this Order is compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable

10. Parity or Replicatory Measure

10.1. This Order will ensure Northern Ireland maintains parity with their counterparts in England, Scotland and Wales.