EXPLANATORY MEMORANDUM TO

THE FIREFIGHTERS' PENSION SCHEME (ENGLAND)(AMENDMENT) REGULATIONS 2015

2015 No. 871

1. This explanatory memorandum has been prepared by Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Purpose of the instrument

2.1 This instrument rectifies omissions in the Firefighters' Pension Scheme (England)(Transitional and Consequential Provisions) Regulations 2015 (S.I. 2015 No. 589) ("Transitional Regulations") which established the transitional provisions for the Firefighters' Pension Scheme 2015 ("the 2015 Scheme"). That pension scheme deals with the payment of pensions and benefits to, or in respect of, firefighters in England.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 This instrument rectifies omissions in the Transitional Regulations and the amendments made by this instrument are made to correct these errors. The Transitional Regulations are to come into force on 1st April 2015 and as the errors were only recently detected this instrument needs to come into force without complying with the 21 day rule to rectify these errors in time for the commencement of the Transitional Regulations and the regulations which establish the 2015 Scheme.

3.2 The errors were made at a late stage in the preparation of the Regulations when some paragraphs were accidently omitted. We have taken steps to ensure that such a mistake does not happen again.

4. Legislative Context

4.1 The Transitional Regulations deal with the benefits of firefighters who are members of the Firefighters' Pension Scheme 1992 or the New Firefighters' Pension Scheme 2006 and subsequently under the 2015 Scheme. The instrument is made under the power provided in the Public Service Pensions Act 2013.

4.2 The main provisions for the 2015 Scheme are set down in the Firefighters' Pension Scheme (England) Regulations 2014 (S.I. 2014 No. 2848) ("2014 Regulations"). In addition the Firefighters' Pension Scheme (England)(Consequential Provisions) Regulations 2015 made additional provisions in relation to certain taxation matters and

other legislation affecting pensions. The Firefighters' Pension Scheme (Amendment)(Governance) Regulations 2015 (S.I. 2015 No. 465) amend the 2014 Regulations to make provision for the governance of the 2015 Scheme.

5. Territorial Extent and Application

5.1 This instrument applies to England only.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 This is set out in the explanatory memorandum to the Transitional Regulations which can be found http://www.legislation.gov.uk/uksi/2015/589/pdfs/uksiem_20150589_en.pdf.

7.2 There is no requirement to consolidate these Regulations.

8. Consultation outcome

8.1 This is set out in the explanatory memorandum to the Transitional Regulations which can be found at http://www.legislation.gov.uk/uksi/2015/589/pdfs/uksiem_20150589_en.pdf.

9. Guidance

9.1 This is set out in the explanatory memorandum to the Transitional Regulations which can be found at http://www.legislation.gov.uk/uksi/2015/589/pdfs/uksiem_20150589_en.pdf.

10. Impact

10.1 The impact on business, charities or voluntary bodies is nil.

10.2 The impact on the public sector is minimal.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The proposals for this were set out in the memorandum for the Transitional Regulations.

13. Contact

Philip Perry, at the Department for Communities and Local government, on 030344 42174 or philip.perry@communities.gsi.gove.uk, can answer any queries regarding the instrument.