This S.S.I. has been made in consequence of defects in S.S.I. 2023/242 and S.S.I. 2025/113 and is being issued free of charge to all known recipients of that instrument.

SCOTTISH STATUTORY INSTRUMENTS

2025 No. 187

PUBLIC SERVICE PENSIONS

The Firefighters' Pensions (Remediable Service) (Scotland) Amendment (No. 2) Regulations 2025

Made - - - -	*18th June 2025*
Laid before the Scottish Parliament	*20th June 2025*
Coming into force - -	*3rd October 2025*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 1(1) and (2)(f), 2(1) (together with paragraph 6(c) of schedule 2) and 3(1) and (2)(a) (together with paragraph 13 of schedule 3) and (c) and (3) of the Public Service Pensions Act 2013(**a**) ("the 2013 Act") and sections 5(1) and (5), 6(1), 7(3), 8(1) and (3), 10(1), 11(1) and (5), 12(1) and (3), 18(1) to (3), (5), (6) and (8), 19(1), (4) and (5), 22(1), (2) and (6), 24(1), 29(1), (7) and (8) of the Public Service Pensions and Judicial Offices Act 2022(**b**) ("PSPJOA 2022") and all other powers enabling them to do so.

In accordance with section 21(1) of the 2013 Act, the Scottish Ministers have consulted the representatives of such persons as appeared to them likely to be affected by these Regulations.

To the extent required by section 27 of PSPJOA 2022, these Regulations are made in accordance with Treasury directions made under that section.

Citation and commencement

1.—(1) These Regulations may be cited as the Firefighters' Pensions (Remediable Service) (Scotland) Amendment (No. 2) Regulations 2025.

(2) These Regulations come into force on 3 October 2025 and have effect from 1 October 2023(**c**).

(**a**) 2013 c. 25. Section 3 was relevantly amended by section 94(2) to (4) of the Public Service Pensions and Judicial Offices Act 2022 (c. 7).
(**b**) 2022 c. 7.
(**c**) Section 3(3)(b) of the Public Service Pensions Act 2013 provides that regulations may have retrospective effect.

Amendment of the Firefighters' Pensions (Remediable Service) (Scotland) Regulations 2023

2.—(1) The Firefighters' Pensions (Remediable Service) (Scotland) Regulations 2023(**a**) are amended in accordance with this regulation.

(2) in regulation 2(1) (interpretation)(**b**)—

(a) in paragraph (c) of the definition of "eligible child" after "the reformed scheme" insert ", the meaning given in regulation 85 of the 2015 Regulations",

(b) in the definition of "opted out service election" for "opted out" substitute "opted-out".

(3) In regulation 12(11) (deferred choice decision for reformed scheme or legacy scheme benefits: general)(**c**) for "the scheme manager must pay an amount equal to the difference to the beneficiary" substitute "the beneficiary must pay an amount equal to the difference to the scheme manager".

(4) In regulation 19 (meaning of "alternative amount")—

(a) in paragraph (2) in the definition of "reformed scheme amount" for "or WRPA" substitute "of WRPA",

(b) in paragraph (3) in the definition of "tapered protection closing date" for "tof" substitute "of".

(5) In regulation 45(2)(a) (remediable value treated as being in the legacy scheme) after "into" insert "the".

(6) In regulation 48(3)(b) (pension benefits and lump sum benefits in relation to a remediable value) for "mention" substitute "mentioned".

(7) In regulation 49(1) (application and interpretation of Chapter 1)(**d**) in the definitions of "alternative scheme" and "ill-health benefits", for "2006 IHR member" substitute "2007 IHR member".

(8) In regulation 51A (entitlement to ill-health benefits where a remedy member's legacy scheme is the 2007 scheme)(**e**)—

(a) in paragraph (1)(b)(ii) for "Schedule 2" substitute "schedule 1",

(b) in paragraph (4)(b) for "scheme" substitute "Order",

(c) in paragraph (7)(b) for "that Part" substitute "Part 11 of the 2015 Regulations".

(9) In regulation 54(1)(b) (protection of the amount of pension payable to an eligible child) after "surviving partner" insert "as defined in regulation 76 of the 2015 Regulations".

(10) In regulation 65 (payment of amounts owed to the scheme manager), in paragraphs (5)(a) and (c), (6)(b)(ii) and (7)(b)(iii) for "remediable firefighter service" substitute "remediable service as a firefighter".

(11) In the schedule (eligible decision-makers for deceased members), in paragraph 1 (interpretation)—

(a) in sub-paragraph (1)(**f**)—

(i) in the definition of "election" for "deferred choice election decision" substitute "deferred choice decision",

(ii) in the definition of "eligible decision-maker"—

(**a**) S.S.I. 2023/242 as amended by S.S.I. 2025/113.
(**b**) The definition of "eligible child" is amended by S.S.I. 2025/113.
(**c**) Regulation 12(11) is amended by S.S.I. 2025/113.
(**d**) Regulation 49(1) is amended by S.S.I. 2025/113.
(**e**) Regulation 51A is inserted by S.S.I. 2025/113.
(**f**) Paragraph 1(1) of the schedule is amended by S.S.I. 2025/113.

(aa) in paragraph (b) for "immediate choice election" substitute "immediate choice decision",

(bb) in paragraph (c) omit "election",

(iii) omit the definition of “surviving partner”,

(b) in sub-paragraph (2)(a) for “if” in the first place it occurs, substitute “is”.

IVAN MCKEE
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
18th June 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations correct minor errors in the Firefighters’ Pensions (Remediable Service) (Scotland) Regulations 2023 (“the 2023 Regulations”), including in respect of some amendments to the 2023 Regulations made by the Firefighters’ Pensions (Remediable Service) (Scotland) Amendment Regulations 2025.

The 2023 Regulations were made under the Public Services Pensions Act 2013 and the Public Service Pensions and Judicial Offices Act 2022 (“the 2022 Act”) to remedy the unlawful discrimination on the basis of age that was found to result from the transitional protections afforded to certain cohorts of members of Chapter 1 legacy schemes, as defined in the 2022 Act.

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