STATUTORY RULES AND ORDERS OF A GENERAL CHARACTER ISSUED IN 1973

1973. No. 1 [C]

FIRE SERVICES

Firemen's Pension Scheme (Amendment) Order (Northern Ireland) 1973

ORDER, DATED 2ND JANUARY 1973, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 17 OF THE FIRE SERVICES ACT (NORTHERN IRELAND) 1969.

The Ministry of Home Affairs, with the approval of the Ministry of Finance, on behalf of the Secretary of State in exercise of the powers conferred on it by section 17 of the Fire Services Act (Northern Ireland) 1969(a) and of every other power enabling it in that behalf, hereby makes the following Order:—

Citation

1. This Order may be cited as the Firemen's Pension Scheme (Amendment) Order (Northern Ireland) 1973.

Commencement and effect

2. This Order shall come into operation on the 1st February 1973 and shall have effect as from 1st December 1972.

PART I

Amendment of the Articles relating to awards on death of servicemen

3.—(1) This Article shall have effect for the purposes of the amendment of the following Articles, namely:—

(*a*) Article 54 of the Firemen's Pension Scheme Order (Northern Ireland) 1971(b);

(*b*) Article 28 of the Fire Services (Fire Officers and Firemen) Pensions Order (Northern Ireland) 1955(c).

(2) For paragraph 4(*a*) of the said Article 54 and paragraph 2(*a*) of the said Article 28 there shall be substituted the following provision:—

"(*a*) pay to the widow, in lieu of a gratuity, a pension at the rate of £163·81 a year;".

PART II

Amendments of Schedules relating to widows' ordinary pensions

4.—(1) This Article shall have effect for the purposes of the amendment of the following provision, namely:—

Part I of Schedule 2 to the Firemen's Pension Scheme Order (Northern Ireland) 1971.

(2) For paragraph 2 of Part I of Schedule 2 of the said Firemen's Pension Scheme Order (Northern Ireland) 1971 there shall be substituted the following paragraph:—

(a) 1969. c. 13 (N.I.).
(b) S.R. & O. (N.I.) 1971, No. 33.
(c) S.R. & O. (N.I.) 1955, No. 181.

"2.—(1) Subject to sub-paragraph (2) where in respect of any period the widow so elects her ordinary pension in respect of that period shall be of such amount that the rate of payment is as specified in the following table as appropriate to her husband's last rank:—

Husband's last rank	Rate
Lower than Company Officer	£163·81 a year
Company Officer or Senior Company Officer	£213·37 a year
Higher than Senior Company Officer	£256·66 a year

(2) Where the husband was entitled to reckon at least 10 years' pensionable service, sub-paragraph (1) shall have effect as if for the rates of £163·81, £213·37, £256·66 specified there were substituted, respectively, the rates of £175·28, £224·84 and £268·14 a year."

5.—(1) This Article shall have effect for the purposes of the amendment of the following provision, namely:—

Scheme I in Part 1A of Appendix II to the Schedule of the Fire Services (Fire Officers and Firemen) Pensions Order (Northern Ireland) 1955.

(2) For Scheme I in Part 1A of Appendix II to the Schedule of the said Fire Services (Fire Officers and Firemen) Pensions Order (Northern Ireland) 1955 there shall be substituted the following Scheme:—

"SCHEME I

The widow's pension shall be the amount specified in the following table appropriate to the rank of her husband when he last ceased to be a member:—

Husband's rank when he last ceased to be a member	Amount
Higher than that of Senior Company Officer	£256·66 a year
Company Officer or Senior Company Officer	£213·37 a year
Lower than Company Officer	£163·81 a year"

6.—(1) This Article shall have effect for the purposes of the amendment of the following provision, namely:—

Part II of Schedule 2 to the Firemen's Pension Scheme Order (Northern Ireland) 1971.

(2) For Scheme I in Part II of Schedule 2 to the said Firemen's Pension Scheme Order (Northern Ireland) 1971 there shall be substituted the following—

"SCHEME I

The pension shall be of such amount that the rate of payment is as specified in the following table, as appropriate to the husband's last rank:—

Husband's last rank	Rate
Lower than that of Company Officer	£163·81 a year
Company Officer or Senior Company Officer	£213·37 a year
Higher than that of Senior Company Officer	£256·66 a year"

PART III

Amendment of Schedules relating to children's allowances

7.—(1) This Article shall have effect for the purposes of the amendment of the following provisions, namely:—

(*a*) Part I of Schedule 3 to the Firemen's Pension Scheme Order (Northern Ireland) 1971;

(*b*) Part 1A of Appendix III to the Schedule to the Fire Services (Fire Officers and Firemen) Pensions Order (Northern Ireland) 1955.

(2) For Part I of Schedule 3 to the said Firemen's Pension Scheme Order (Northern Ireland) 1971 there shall be substituted the following Part:—

"PART I

CHILD'S ORDINARY ALLOWANCE

Subject to Part III of this Schedule, the child's allowance shall be of such amount that the rate of payment is as specified in the following table as appropriate to the father's last rank and to whether or not the mother is alive:—

Father's last rank	Rate
(1) Where the mother of the child is alive:—	
Below that of Company Officer . . .	£45·91 a year
Company Officer or Senior Company Officer .	£54·78 a year
Higher than Senior Company Officer . .	£67·30 a year
(2) Where the father was the child's only surviving parent or in respect of the period after the death of the mother	
Below that of Company Officer	£67·82 a year or such higher rate not exceeding £89·73 as the Authority may from time to time determine
Company Officer or Senior Company Officer .	£80·86 a year or such higher rate not exceeding £107·47 as the Authority may from time to time determine
Higher than Senior Company Officer . .	£100·69 a year or such higher rate not exceeding £134·07 as the Authority may from time to time determine"

(3) For Part 1A of Appendix III to the Schedule to the said Fire Services (Fire Officers and Firemen) Pensions Order (Northern Ireland) 1955 there shall be substituted the following Part:—

"PART 1A

1. Subject as hereafter in this Appendix provided, the amount of a child's ordinary allowance shall be of such amount that the rate of payment is as specified in the following table as appropriate to the father's last rank and providing the mother of the child is alive:—

Father's last rank	Rate
Higher than Senior Company Officer	£67·30 a year
Company Officer or Senior Company Officer . .	£54·78 a year
Lower than Company Officer	£45·91 a year

2. Where both parents of a child are dead at the time when the allowance becomes payable the amount of a child's ordinary allowance shall be of such amount that the rate of payment is as specified in the following table as appropriate to the father's last rank:—

Father's last rank	Rate
Higher than Senior Company Officer	£100·69 a year
Company Officer or Senior Company Officer . .	£80·86 a year
Lower than Company Officer	£67·82 a year

3. Where a child's surviving parent dies while the child is entitled to a child's ordinary allowance the amount of the allowance shall, as from the date of death, be determined in accordance with paragraph 2."

Sealed with the Official Seal of the Ministry of Home Affairs this 1st day of January 1973.

(L.S.)

E. N. Barry,
Assistant Secretary.

The Ministry of Finance, on behalf of the Secretary of State, hereby approves of the foregoing Order.

Sealed with the Official Seal of the Ministry of Finance this 2nd day of January 1973.

(L.S.)

C. F. Darling,
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order contains amendments to the Firemen's Pension Schemes of 1971 and 1955. It will have effect as from the 1st December 1972, the date from which increases authorised by the Pensions Increase (Annual Review) Order (Northern Ireland) 1972 (S.R. & O. 1972, No. 263) are payable.

Under the Schemes the amounts of certain awards are determined by reference to specified flat rates which do not qualify for increases under the Pensions (Increase) Act (Northern Ireland) 1971.

This Order increases these flat rates.