EXPLANATORY NOTE

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

These Regulations amend the Fire Services (Ranks and Conditions of Service) Regulations, 1948. They provide for increases in pay of 7s. 6d. a week in the case of firemen, leading firemen and sub-officers; of £20 a year in the case of firewomen aged twenty and over, leading firewomen and senior leading firewomen; and of £25 a year in the case of station officers, assistant divisional officers, divisional officers, assistant group officers and group officers.

PENSIONS

1954 No. 1365

The Firemen's Pension Scheme Order, 1954

Made - - - -	15*th October*, 1954
Laid before Parliament	20*th October*, 1954
Coming into Operation	1*st November*, 1954

In exercise of the powers conferred on me by section twenty-six of the Fire Services Act, 1947(a), I hereby, with the approval of the Treasury and after consultation with the Central Fire Brigades Advisory Council and the Scottish Central Fire Brigades Advisory Council, make the following Order:—

1. For Article 13 of the Firemen's Pension Scheme, 1952, set out in the First Appendix to the Firemen's Pension Scheme Order, 1952(b), there shall be substituted the following Article:—

"*Allocation of pension*

13.—(1) Where a fireman, who retires and is entitled to an ordinary, ill-health or short service pension, has allocated that pension, that is to say—

(*a*) has given notice in writing (hereafter in this Article called "notice of surrender") to the fire authority of his wish to surrender such portion of his pension as he may specify and, in relation to such notice, has complied with the provisions of paragraphs (3) and (4) of this Article;

(*b*) has nominated the person in whose favour the surrender is to take effect (hereafter in this Article called "the beneficiary"), being his wife or such other person as the fire authority are satisfied is substantially dependent on him; and

(*c*) has provided the fire authority with such evidence of his good health as they consider satisfactory,

then, subject to paragraph (5) of this Article, his pension shall be reduced accordingly as from the date of his retirement.

(2) Notwithstanding that he has previously allocated his pension, a fireman who has completed twenty-five years' pensionable service may, in accordance with the preceding paragraph, further allocate that pension in favour of the same beneficiary.

(a) 10 & 11 Geo. 6. c. 41. (b) S.I. 1952/944 (1952 I, p. 1003).

(3) Except in the case of the first or only allocation by a fireman who has completed twenty-five years' pensionable service, the notice of surrender shall be given by the fireman not earlier than two months before his retirement.

(4) The total portion of a fireman's pension which he may surrender in accordance with paragraph (1) of this Article shall not exceed one-third thereof and in the case of the first or only allocation shall be such as will produce for the beneficiary, in accordance with the following provisions of this Article, a pension of not less than ten shillings a week.

(5) Where the fire authority are satisfied that the fireman has complied with the provisions of sub-paragraphs (*a*), (*b*) and (*c*) of paragraph (1) of this Article, they shall forthwith send to the fireman a written notification that they have allowed the surrender, and the allocation shall take effect—

(*a*) in the case of the first or only allocation by a fireman who, when he gave the notice of surrender, had completed twenty-five years' pensionable service, at the time when the notification is received by him or, if sent by post, at the time when it would be delivered to him in the ordinary course of post ;

(*b*) in any other case, at the date of retirement ;

and in a case to which sub-paragraph (*a*) of this paragraph applies, the pension shall be reduced notwithstanding the death of the beneficiary before the date of retirement.

(6) Where a fireman retires having allocated his pension and the allocation has taken effect, the fire authority shall as from his death pay to the beneficiary, if that person survives the fireman, a pension of such amount as is the actuarial equivalent of the surrendered portion of the fireman's pension.

The said actuarial equivalent shall be calculated from tables prepared by the Government Actuary at the time the allocation took effect, by reference to the ages of the fireman and the beneficiary at that time, and separate calculations shall be made in respect of separate allocations.

(7) Where a fireman has allocated an ordinary pension and the allocation has taken effect and he had completed twenty-five years' pensionable service when he gave the notice of surrender, then—

(*a*) if he dies before retiring, the fire authority shall pay to the beneficiary the like pension as they would have paid if the fireman had retired immediately before he died and the allocation were the only allocation ;

(*b*) if he retires with an ill-health pension, the foregoing provisions of this Article shall apply as if the allocation related to such pension.

(8) Where the ill-health pension of a fireman is reduced under this Article a special pension payable to him under Article 6 of this Scheme shall be calculated as if no such reduction had been made.

(9) Where under the provisions of Article 13 of the Firemen's Pension Scheme, 1948(**a**), or of Article 13 of this Scheme as originally made, the ordinary pension of a fireman has been reduced before the first day of November, nineteen hundred and fifty-four, as a result of his having given

(**a**) *See* S.I. 1948/604 (Rev. VII, p. 776: 1948 I, p. 1091).

notice of intention to surrender a portion thereof, his pension and the pension of the person nominated by him shall be determined in accordance with those provisions.".

2. At the end of Article 15 of the said Scheme of 1952, as amended by Article 1 of the Firemen's Pension Scheme Order, 1953(**a**), there shall be added the following paragraph:—

"(13) If the said person was immediately before the appointed day such a person as is described in paragraph (2) or paragraph (3) of this Article and before becoming such a person was for a period beginning on or after the third day of September, nineteen hundred and thirty-nine, employed in whole-time service either on fire brigade duties as defined in section seventeen of the Fire Brigades Act, 1938(**b**), otherwise than as a probationer, or in the auxiliary fire service, then his pensionable service for the purposes of the Scheme shall include one-half of that period if before the first day of May, nineteen hundred and fifty-five, he undertakes to pay in accordance with the Eleventh Schedule to this Scheme a sum determined in accordance with paragraph 3 thereof.".

3. In paragraph (1) of Article 19D of the said Scheme of 1952, as set out in Article 3 of the Firemen's Pension Scheme Order, 1953, for the words "or (12) of Article 15" there shall be substituted the words "(12) or (13) of Article 15".

4. At the end of the Eleventh Schedule to the said Scheme of 1952 there shall be added the following paragraph:—

"3. Where under paragraph (13) of Article 15 of this Scheme a fireman undertakes to make payments in accordance with this Schedule the sum to be paid shall equal two-and-a-half per cent. of the total pay which he would have received in respect of the service to be counted as pensionable service by virtue of that paragraph if he had been paid in respect thereof at the notional rate appropriate to his rank on first becoming a fireman set out in the following Table:—

TABLE

Rank of fireman on first becoming a fireman		Notional rate of pay for the purposes of this paragraph
England	Scotland	
1. Ordinary Fireman ...	1. Ordinary Fireman ...	1. £4 16s. per week
2. Leading Fireman ...	2. Leading Fireman ...	2. £5 11s. per week
3. Sub-Officer	3. Section Leader ...	3. £6 11s. per week
4. Station Officer	4. Company Officer ...	4. £450 per annum
5. Assistant Divisional Officer	5. Senior Company Officer	5. £500 per annum
6. Divisional Officer (Grade III)	6. Column Officer ...	6. £600 per annum
7. Divisional Officer (Grade II)	7. Divisional Officer ...	7. £700 per annum
8. Divisional Officer (Grade I)	8. Assistant Firemaster	8. £800 per annum
9. Assistant Chief Officer	9. Firemaster	9. Such rate as the Secretary of State may in each particular case direct."
10. Chief Officer		10. Such rate as the Secretary of State may in each particular case direct."

(**a**) S.I. 1953/1385 (1953 I, p. 778). (**b**) 1 & 2 Geo. 6. c. 72.

5. This Order may be cited as the Firemen's Pension Scheme Order, 1954, and shall come into operation on the first day of November, nineteen hundred and fifty-four.

David Maxwell Fyfe,
One of Her Majesty's Principal Secretaries of State.

15*th October*, 1954.

We approve,

Edward Heath,
R. H. M. Thompson,
Two of the Lords Commissioners of Her Majesty's Treasury.

15*th October*, 1954.

EXPLANATORY NOTE

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

This Order, which amends the Firemen's Pension Scheme, 1952, makes further provision, in Article 1 for the allocation by a fireman of a portion of his pension in favour of a dependant, and in Articles 2, 3 and 4 for the counting for pension purposes of certain service as a fireman rendered before the coming into operation of the Fire Services Act, 1947.

1954 No. 1663

The Firemen's Pension Scheme (No. 2) Order, 1954

Made - - - -	13*th December*, 1954
Laid before Parliament	16*th December*, 1954
Coming into Operation	23*rd December*, 1954

In exercise of the powers conferred on me by section twenty-six of the Fire Services Act, 1947(**a**), as amended by subsection (3) of section one of the Fire Services Act, 1951(**b**), I hereby, with the approval of the Treasury and after consultation with the Central Fire Brigades Advisory Council and the Scottish Central Fire Brigades Advisory Council, make the following Order :—

1. After Article 42 of the Firemen's Pension Scheme, 1952, set out in the First Appendix to the Firemen's Pension Scheme Order, 1952(**c**), there shall be inserted the following Article :—

"*Temporary employment in connection with the provision of fire services*

42A.—(1) This Article shall apply in the case of a person who ceases to perform duties as a fireman in order to enter temporary employment on duties connected with the provision of fire services, being—

(*a*) employment as an instructor at a training institution or centre established by the Secretary of State under section twenty-three of the principal Act;

(**a**) 10 & 11 Geo. 6. c. 41. (**b**) 14 & 15 Geo. 6. c. 27.
(**c**) S.I. 1952/944 (1952 I, p. 1003).