PENSIONS

1960 No. 1848

The Firemen's Pension Scheme Order, 1960

Made - - - -	10*th October*, 1960
Laid before Parliament	14*th October*, 1960
Coming into Operation	17*th October*, 1960

In exercise of the powers conferred on me by subsections (1), (2) and (5) of section twenty-six of the Fire Services Act, 1947(a), and section forty-two of the Reserve and Auxiliary Forces (Protection of Civil Interests) 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. For paragraph (1) of Article 31 of the Firemen's Pension Scheme, 1956, set out in the Appendix to the Firemen's Pension Scheme Order, 1956(c), (which relates to the reckoning of previous service in another brigade) there shall be substituted the following paragraph:—

"(1) A regular fireman who retires or has retired from a brigade for the purpose of joining another brigade shall be entitled, on joining that other brigade, to reckon as pensionable service for the purposes of this Scheme the period of pensionable service he was entitled to reckon on retiring—

(*a*) in the case of a person who retires on or after the seventeenth day of October, 1960, having completed at least two years' service as a regular fireman, if before retiring for the purpose aforesaid he has given written notice of his intention to do so to the authority maintaining the first-mentioned brigade; or

(*b*) in the case of any other person, if he retires or has retired for the purpose aforesaid with the written consent of the said fire authority.".

2. In paragraph (1) of Article 43 of the said Scheme of 1956 (which relates to the payment of transfer values)—

(*a*) after the words "with such consent" there shall be inserted the words "or, as the case may be, after giving such notice"; and

(*b*) for the words "with whose consent he so retired" there shall be substituted the words "maintaining the first-mentioned brigade".

3. In the proviso to Article 49 of the said Scheme of 1956 (which relates to servicemen who do not resume service in their former brigade) after the words "for the consent" there shall be inserted the words "or may give the notice".

4. In sub-paragraph (*a*) of paragraph (3) of Article 60 of the said Scheme of 1956 (which provides for the modification of the Scheme in its application to certain persons who served as regular firemen on or before the tenth day of July, 1956) after the words "with such consent" there shall be inserted the words "or, as the case may be, after giving such notice".

(a) 10 & 11 Geo. 6. c. 41. (b) 14 & 15 Geo. 6. c. 65. (c) S.I. 1956/1022 (1956 I, p. 953).

5. For paragraph 1 of Scheme II of Part I of the Second Schedule to the said Scheme of 1956 and the Table to the said paragraph (which relate to the calculation of a widow's ordinary pension) there shall be substituted the following paragraph and Table:—

"1. Subject as hereinafter provided, the pension shall be of such amount that, when it is added to any widow's benefit or retirement pension payable to the widow under the National Insurance Act, 1946(a), in right of her husband's insurance, the total weekly rate of payment is equal—

(*a*) where the pension is granted before the seventeenth day of October, 1960, to the percentage of his average pensionable pay specified in the second column of the subjoined Table; or

(*b*) where the pension is granted on or after the said date, to the percentage of his average pensionable pay specified in the third column thereof,

being the percentage set out opposite to the number of his completed years of pensionable service in the first column of the said Table.

TABLE

Husband's completed years of pensionable service	Lower rate	Higher rate
10, 11, 12, 13 and 14	4 per cent.	5 per cent.
15, 16, 17, 18 and 19	6 per cent.	7½ per cent.
20, 21, 22, 23 and 24	8 per cent.	10 per cent.
25, 26, 27, 28 and 29	10 per cent.	12½ per cent.
30 or more	12½ per cent.	16 per cent. "

6. In proviso (*b*) to paragraph 1 of the Fifth Schedule to the said Scheme of 1956 (which relates to payments by regular firemen in respect of previous service) after the words "without such consent" there shall be inserted the words "or, as the case may be, without giving such notice".

7. This Order may be cited as the Firemen's Pension Scheme Order, 1960, and shall come into operation on the seventeenth day of October, 1960.

R. A. Butler,
One of Her Majesty's Principal Secretaries of State.

3rd October, 1960.

We approve,

Michael Hughes-Young,
Graeme Bell Finlay,
Two of the Lords Commissioners of Her Majesty's Treasury.

10th October, 1960.

(a) 9 & 10 Geo. 6. c. 67.

EXPLANATORY NOTE

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

This Order amends the Firemen's Pension Scheme, 1956, set out in the Appendix to the Firemen's Pension Scheme Order, 1956.

Article 31 (1) of the 1956 Scheme provides for the preservation of the pension rights of a regular fireman who transfers, with the consent of his fire authority, to another brigade; Article 1 of the present Order provides that, in the case of the transfer of a regular fireman with at least two years' service, it shall be sufficient to give his fire authority written notice of his intention to transfer. Articles 2, 3, 4 and 6 make consequential amendments.

Article 5 increases the rate of a widow's ordinary pension, granted after the coming into operation of the present Order, in cases where the pension falls to be calculated by reference to the husband's pensionable pay.