STATUTORY RULES OF NORTHERN IRELAND

2026 No. 150

PUBLIC SERVICE PENSIONS

The New Firefighters' Pension Scheme (Amendment) Order (Northern Ireland) 2026

Made - - - -	*29th July 2026*
Coming into operation	*1st September 2026*

The Department of Health(**a**) in exercise of the powers conferred by Article 10(1) and (3) of the Fire Services (Northern Ireland) Order 1984(**b**) and now vested in it(**c**) and with the approval of the Department of Finance(**d**), makes the following Order:

Citation and commencement

1. This Order may be cited as the New Firefighters' Pension Scheme (Amendment) Order (Northern Ireland) 2026 and shall come into operation on 1st September 2026.

Amendment to the New Firefighters' Pension Scheme Order (Northern Ireland) 2007

2. The Annex to the New Firefighters' Pension Scheme Order (Northern Ireland) 2007(**e**) shall be amended in accordance with the Schedule.

(**a**) Formerly the Department of Health, Social Services and Public Safety, see 2016 c.5 (N.I.).
(**b**) S.I. 1984 No. 1821 (N.I. 11) – Article 10 continues to have effect; see Article 60 of the Fire and Rescue Services (Northern Ireland) Order 2006 (S.I. 2006 No. 1254 (N.I. 9)
(**c**) See S.R. 1999 No. 481 Article 6(c) and Schedule 4, Part III
(**d**) Formerly the Department of Finance and Personnel, see 2016 c. 5 (N.I.)
(**e**) S.R. 2007 No. 215, amended by S.R. 2008 No. 381, S.R. 2012 No. 162, S.R. 2013 No. 84 and No. 172, S.R. 2014 No. 57 and No. 168, S.R. 2015 No. 9, No. 10, No. 355, No. 420 and No 422, S.R. 2022 No. 155, S.R. 2023 No. 178, S.R. 2024 No. 130 and S.R. 2024 No.218.

Sealed with the Official Seal of the Department of Health on 29th July 2026.

L.S.

Philip Rodgers
A senior officer of the
Department of Health

The Department of Finance approves this Order.
Sealed with the Official Seal of the Department of Finance on 29th July 2026.

L.S.

Patrick Neeson
A senior officer of the
Department of Finance

SCHEDULE

Article 2

Amendment to the Annex to the New Firefighters' Pension Scheme Order (Northern Ireland) 2007

1.—(1) Part 1 (citation and interpretation) is amended as follows.

(2) In article 2 (interpretation)—

(a) in the definition of "extended limited period", in paragraph (a), after "joined" insert "(or, in the case of a retained firefighter opt-out member, rejoined)";

(b) in the definition of "mandatory special period", in paragraph (b), for the full stop substitute a semicolon and add—

"(c) in relation to service purchased following an application under article 106 (Retained firefighter opt-out member) of Part 15, that part of a retained firefighter opt-out member's service during the extended limited period in which he had opted-out of membership of this Scheme, or had ceased to pay periodic contributions such that article 66B(5)(c)(**a**) (election to purchase service during the limited period or the extended limited period: supplemental provision) of Part 11 applied;";

(3) after the definition of "retained firefighter" insert—

""retained firefighter opt-out member" means a retained firefighter who joined this Scheme on or after 6th April 2006 and either—

(a) became a special member of this Scheme during any part of the extended limited period and elected not to make pension contributions under article 8(1) (election not to make pension contributions) of Part 2 on or before 31st March 2015; or

(b) elected to purchase service during the limited period but then ceased to pay periodic contributions such that article 66B(5)(c) (election to purchase service during the limited period or the extended limited period: supplemental provision) of Part 11 applied;".

2.—(1) Part 3 (personal awards) is amended as follows.

(2) In article 11A (special member's ordinary pension)(**b**), in paragraph (8) after "Part 11" insert "and articles 84B and 84C of Part 12".

3.—(1) Part 5 (awards on death) is amended as follows.

(2) In article 35B (death grant for extended limited period)(**c**)—

(a) in paragraphs (2) and (3), for "30th April 2025" substitute "1st September 2027";

(b) in paragraphs (6)(b), (8) and (9), for "additional", in each place it occurs, substitute "extended".

(3) In article 35C (additional death grant)(**d**)—

(a) in paragraph (1)(a), for "1st July 2000" substitute "6th April 2006";

(b) in paragraph (1)(b), after "elected" insert ", was eligible to have elected, or would have been eligible but for their death to have elected,";

(c) in paragraph (1)(c), for "30th April 2025" substitute "1st September 2027";

(d) in paragraphs (2) and (3), for "30th April 2025" substitute "1st September 2027";

(e) in paragraph (6) for the definition of "B" substitute—

(**a**) Article 66B was inserted by S.R. 2015 No 9.
(**b**) Article 11A was inserted by S.R. 2015 No 9.
(**c**) Article 35B was inserted by S.R. 2023 No 178.
(**d**) Article 35C was inserted by S.R. 2023 No 178

"B is the number of completed years (which has the meaning in article 60(2) (calculation of pensionable service) of Part 10, as determined by the Board, during which the deceased was employed as a retained firefighter in the period before—

(a) in the case of a retained firefighter who would have been eligible, but for his death, to make an election under article 66A (election to purchase service during the limited period or the extended limited period) of Part 11, in respect of his service during the limited period following an application under article 65A (purchase of service during the limited period) of Part 11, 31st March 2015;

(b) in any other case, 1st July 2000.".

(4) After article 36 (post-retirement death grant) insert—

"**Missed pension lump sum grant**

36A.—(1) This article applies where a person—

(a) would have been a special firefighter member if, within the period required by article 66B(1) or (12) (election to purchase service during the limited period or the extended limited period: supplemental provision) of Part 11, he had elected to pay the mandatory special period pension contribution and had become a special member, or but for his death he could have made such an election and become a special member;

(b) would have been eligible to receive payments in respect of special pensionable service;

(c) died between 7th April 2000 and 1st September 2027 inclusive; and

(d) in the case of a person who died between 7th April 2000 and 5th April 2006 inclusive, was not employed as a retained firefighter at the time of his death.

(2) An application for a missed pension lump sum grant may be made by—

(a) the spouse or civil partner of the deceased; or

(b) if the deceased was not married or in a civil partnership at the time of his death, or where his spouse or civil partner has died since the deceased's death—

(i) a child of the deceased; or

(ii) if the deceased did not have children at the time of his death, or where his children have died since the deceased's death, the persons who are beneficially entitled to the personal estate of the deceased.

(3) Subject to paragraph (6), the missed pension lump sum grant is a lump sum equal to the value, together with interest, of the pension payments ("the past pension payments") the deceased would have received up to the date of his death if, at the date of his death, he had been a member of this Scheme who had made contributions equivalent to his contributions under article 66A and 66B of Part 11.

(4) When calculating the amount of the missed pension lump sum grant under paragraph (3), it is to be assumed that the deceased would have elected to commute one quarter of the pension calculated in accordance with that paragraph.

(5) The interest payable in accordance with paragraph (3) must be calculated in accordance with article 11A(9) (special member's ordinary pension) of Part 3.

(6) The amount of the missed pension lump sum grant must be reduced by the amount of the deceased's contributions under articles 66A and 66B of Part 11.

(7) Any application for a grant under this article must—

(a) be made in writing to the Board;

(b) be made by the spouse, civil partner, child or personal representative of the deceased, as applicable;

(c) confirm the date on which the deceased took up employment as a retained firefighter;

(d) where the deceased left that employment, confirm the date on which he left;

(e) where the deceased took up employment as a regular firefighter, confirm the date on which he took up that employment;

(f) where the deceased joined this Scheme as a standard member or joined the FPS, confirm the date on which he joined the Scheme and, if it was the case, the date on which he made an election not to pay pension contributions under article 8 of Part 2 of this Scheme or under article 59 of the FPS (as applicable); and

(g) provide a copy of the deceased's death certificate.

(8) Where the Board is not able to determine the period of the deceased's service and the Board does not hold records of the deceased's pay for that period, and the person making the application cannot provide the Board with the necessary documents, the Board may—

(a) determine the deceased's pensionable pay for that period from the records which it holds and its local experience, or

(b) apply the default assumption if a determination under sub-paragraph (a)—

(i) is not possible, or

(ii) is a determination that the deceased's retained pensionable pay for the period was less than 25% of the pensionable pay of a whole-time regular firefighter employed in a similar role with equivalent qualifying service.

(9) In paragraph (8), the default assumption is that the deceased's retained pensionable pay for the period was equal to 25% of the pensionable pay of a whole-time regular firefighter employed in a similar role with equivalent qualifying service.

(10) The Board must use reasonable endeavours to notify all persons who may be entitled to a missed pension lump sum grant that they may be so entitled as soon as possible and, in any event, before 1st September 2027.

(11) Subject to paragraph (12), an application under paragraph (7) must be made to the Board before 1st September 2027.

(12) Where a person did not receive a notification from the Board under paragraph (10), despite the Board using reasonable endeavours to notify eligible persons as required by that paragraph, an application under paragraph (7) may be made on or after 1st September 2027.

(13) Where the Board decides that a missed pension lump sum grant is payable, the Board must pay the missed pension lump sum grant during the period of three months beginning with the date on which the application for the payment was received.

Survivor's missed pension lump sum grant

36B.—(1) This article applies where a person—

(a) is eligible to apply for a missed pension lump sum grant under article 36A and an application has been made under article 36A(7), and

(b) is not eligible to apply for an additional death grant under article 35C.

(2) A survivor's missed pension lump sum grant is payable to the person identified in paragraph (1).

(3) Any application for a grant under this article must—

(a) be made in writing to the Board;

(b) be made—

(i) where the deceased was married or a member of a civil partnership at the time of his death, by his spouse or civil partner, or

(ii) subject to paragraph (4), where the deceased was not married or a member of a civil partnership at the time of his death, or where his spouse or civil partner has died since the deceased's death, by a child of the deceased, and

(c) confirm that the applicant is not eligible to apply for an additional death grant under article 35C.

(4) A person is not eligible for a child's missed pension lump sum grant under this article if the person would not have been eligible for a child's pension by virtue of anything in article 29 (child's pension: limitations and duration) of Part 4 at the time of the death of the deceased.

(5) The amount of the payment under this article must be calculated in accordance with the formula—

$$0.1 \times A \times B$$

where—

A is the amount of pensionable pay the Board determine that the deceased received in his last year of service, and

B is the number of completed years (which has the meaning in article 60(2) (calculation of pensionable service) of Part 10) during which the deceased was employed as a retained firefighter in the period before the end date of the deceased's extended limited period (the "relevant period"), as determined by the Board.

(6) The Board must determine the period of the deceased's service during the relevant period from its records.

(7) Where the Board is not able to determine the period of the deceased's service during the relevant period from its records, the applicant may provide the Board with documents to assist it to determine the deceased's period of service during the relevant period and the Board must determine the period of the deceased's service from those documents.

(8) Where the Board is not able to determine the period of the deceased's service during the relevant period and the Board does not hold records of the deceased's pay for that period, and the applicant cannot provide the Board with the necessary documents, the Board may estimate the deceased's pensionable pay for that period from the records which it holds and may, in particular, estimate the deceased's pensionable pay on the basis of the average of recent pay data for retained firefighters at the same station or stations as those at which the deceased was based for the relevant period.

(9) Where the Board has estimated the pay of the deceased in accordance with paragraph (8), the Board must determine the deceased's period of pensionable service during the relevant period.

(10) Where the deceased's service was as a retained firefighter, the Board must determine the deceased's retained pensionable service during the relevant period by calculating the same proportion of whole-time service as that which his actual pensionable pay or, as the case may be, his pensionable pay as estimated by the Board under paragraph (8), bears to his reference pay for each year of service during that period.

(11) If no information is provided under paragraph (7) and no records are available, the Board must determine the amount of the deceased's pensionable pay based on the assumption that the deceased's retained pensionable pay for the period was equal to 25% of the pensionable pay of a whole-time regular firefighter employed in a similar role with equivalent qualifying service.

(12) The Board must use reasonable endeavours to notify all persons who may be entitled to a survivor's missed pension lump sum payment that they may be so entitled as soon as possible and, in any event, before 1 September 2027.

(13) Subject to paragraph (14), an application under paragraph (3) must be made to the Board before 1st September 2027.

(14) Where a person did not receive a notification from the Board under paragraph (12), despite the Board using reasonable endeavours to notify eligible persons as required by that paragraph, an application under paragraph (3) may be made on or after 1st September 2027.

(15) Where the Board decide that a survivor's missed pension lump sum payment is payable, the Board must pay the survivor's missed pension lump sum grant during the period of three months beginning with the date on which the application for the payment was received.

Missed pension lump sum grant and survivor's missed pension lump sum grant: restrictions

36C.—(1) Subject to paragraph (3), a missed pension lump sum grant or a survivor's missed pension lump sum grant is not payable to a person who is convicted of the murder of the deceased.

(2) Subject to paragraph (4), where a person is convicted of the manslaughter of the deceased, the Board may, as it thinks fit, withhold the missed pension lump sum grant or the survivor's missed pension lump sum grant—

(a) in whole or in part; and

(b) permanently or temporarily.

(3) Where a conviction of the description mentioned in paragraph (1) is quashed on appeal, the missed pension lump sum grant or the survivor's missed pension lump sum grant is payable.

(4) Where a conviction of the description mentioned in paragraph (2) is quashed on appeal, the missed pension lump sum grant or the survivor's missed pension lump sum grant is payable in full, less any partial payment that has already been made.

(5) Nothing in paragraph (3) or (4) affects the application of paragraph (1) or (2) if the person whose conviction is quashed is subsequently convicted of the murder or manslaughter of the deceased.".

4.—(1) Part 11 (pensionable pay, pension contributions and purchase of additional service) is amended as follows.

(2) In article 65B (Purchase of service during the extended limited period)—

(a) in paragraph (7)(a), for "article 66A(11)" substitute "article 66A(12)";

(b) in paragraph (7)(b), for "article 66A(12) substitute "article 66A(11)";

(c) in paragraph (15), for "30th April 2025" substitute "1 September 2027".

(3) In article 66B (election to purchase service during the limited period or the extended limited period: supplemental provision), in paragraphs (13) and (14)(**a**), for "30th April 2025" substitute "1st September 2027.

5.—(1) Part 12 (transfers into and out of the scheme) is amended as follows.

(2) In article 84B (converting membership from standard membership to special membership), for paragraph (1)(a)(**b**), substitute—

"(a) to a person who is a standard member of the Scheme and who is—

(i) a special firefighter member;

(ii) entitled to join this Scheme as a special firefighter member or a connected special member;

(iii) subject to articles 84CA and 84CB, a special pensioner member who was previously a special deferred member; or

(iv) subject to article 84CB, a special deferred member."

(3) In article 84C (converting membership from standard membership to special membership - special pensioner members), for paragraph (1)(a)(**c**), substitute—

(**a**) Paragraphs (13) and (14) were inserted by S.R. 2023 No. 178.
(**b**) Amended by S.R. 2023 No. 178.
(**c**) Amended by S.R. 2023 No. 178.

"(a) to a person who is—

(i) a special pensioner member,

(ii) entitled to be a special pensioner member and who is in receipt of an ordinary pension, a higher tier ill-health pension, or a lower tier ill-health pension, or

(iii) subject to article 84CB, is entitled to a deferred pension under article 13 (deferred pension) or article 15 (Pension on member-initiated early retirement) of Part 3;".

(4) After article 84C(**a**) insert—

"**Converting membership from standard membership to special membership - special pensioner members who were previously special deferred members**

84CA.—(1) This article applies to a person to whom article 84B applies and who is a special pensioner member who was previously a special deferred member.

(2) Where the member makes an election under article 84B(5), the amount payable under that article must be—

(a) calculated in accordance with guidance provided by the Scheme Actuary, and

(b) paid by lump sum payment.

(3) When the payment required by article 84B(5) has been paid, and subject to article 84B(7)—

(a) the member's pensionable service as a standard member must be treated as special pensionable service;

(b) the member must continue to receive his ordinary or ill-health pension in respect of his pensionable service as a standard member, and

(c) the member must, in addition, receive his special member's ordinary pension or ill-health pension in respect of his special pensionable service as a special member.

(4) The special member's ordinary pension or ill-health pension in respect of his special pensionable service payable under this article must be reduced in accordance with tables produced by the Scheme Actuary, so that the total amount of pension that the member receives in accordance with sub-paragraphs (3)(b) and (c) does not exceed the amount he would have received as a special member if—

(a) he had not been an ordinary member of the Scheme, and

(b) all of his service from the start of the mandatory special period to the date that the member's special member's ordinary pension or ill-health pension, as the case may be, becomes payable and which is eligible to be treated as special pensionable service, was treated as special pensionable service.

Converting membership from standard membership to special membership - additional provisions

84CB.—(1) This article applies to a person to whom article 84B or 84C applies and who is—

(a) a special deferred member;

(b) a special pensioner member who was previously a special deferred member; or

(c) in receipt of a deferred pension under article 15 (pension on member-initiated early retirement) of Part 3.

(**a**) Amended by S.R. 2023 No. 178

(2) The Board must use reasonable endeavours to notify the person of his eligibility to apply to convert his membership in accordance with article 84B or 84C, as applicable as soon as possible and, in any event, before 1st September 2027.

(3) A person to whom this article applies—

(a) does not need to make an application under article 84B(2) or 84C(2) at the same time as he makes an application under article 65A(5) (purchase of service during the limited period) or 65B(9) (purchase of service during the extended limited period) of Part 11;

(b) does not need to make an election under article 84B(5) or 84C(5) at the same time as he makes his election under article 66A (election to purchase service during the limited period or the extended limited period) of Part 11;

(c) must make an election under article 84B(5) or 84C(5) within three months after receiving the statements referred to in article 84B(4) or 84C(4); and

(d) must, in any event, make an election before 1st September 2027.

(4) The Board must provide the statements referred to in article 84B(4) or 84C(4) within three months of receiving an application under article 84B(2) or 84C(2), as applicable.

(5) Where a person did not receive a notification from the Board under paragraph (2), despite the Board using reasonable endeavours to notify him as required by that paragraph, an election under article 84B(5) or 84C(5), as applicable, may be made on or after 1st September 2027.".

6.—(1) Part 15 (miscellaneous provisions) is amended as follows.

(2) After article 105 (death on or before 31st March 2007 of retained or volunteer firefighter employed before 6th April 2006) insert—

"**Retained firefighter opt-out member**

106.—(1) This article applies to a person ("P") who—

(a) is a retained firefighter opt-out member, or

(b) the spouse, civil partner or child of a retained firefighter opt-out member who is deceased.

(2) Subject to paragraph (5), P may elect to pay pension contributions in respect of the retained firefighter opt-out member's service during the part of the extended limited period during which the retained firefighter op-out member or deceased firefighter opt-out member elected not to make pension contributions under article 8(1) (election not to make pension contributions) of Part 2 or ceased to make periodic contributions such that article 66B(5)(c) (election to purchase service during the limited period or the extended limited period) of Part 11 applied (the "opt-out period").

(3) P may elect to purchase pensionable service in respect of the opt-out period, provided that—

(a) the election is made not later than the date falling 12 months after the notification under paragraph (4), and

(b) P pays the mandatory special period pension contributions that the retained firefighter opt-out member would have been required to pay in respect of the opt-out period, had he not elected not to make pension contributions under article 8(1) (election not to make pension contributions) or ceased to make periodic contributions such that article 66B(5)(c) (election to purchase service during the limited period or the extended limited period) of Part 11 applied.

(4) The Board must use reasonable endeavours to notify P of his eligibility to purchase service during the opt-out period before 1st November 2026.

(5) P may apply to the Board for a statement of—

(a) the service in respect of which he may become entitled to pay contributions under this article, and

(b) the mandatory special period pension contributions and any additional contributions required under paragraph (3)(b), which P would be required to pay in respect of that service.

(6) An application under paragraph (5) must be made in writing and must state—

(a) the date on which the retained firefighter opt-out member took up employment as a retained firefighter;

(b) if the retained firefighter opt-out member has left employment, the date on which he left;

(c) the date on which the retained firefighter opt-out member joined this Scheme, and if he had already joined this Scheme as a special member, the period of service the retained firefighter opt-out member has already elected to purchase under article 66A (election to purchase service during the limited period or the extended limited period) of Part 11; and

(e) the date on which the retained firefighter opt-out member opted-out of this Scheme.

(7) An application under paragraph (5) must be made within six months of the receipt of the notification under paragraph (4).

(8) Where P did not receive a notification from the Board under paragraph (4), despite the Board using reasonable endeavours to notify him as required by that paragraph, an application under paragraph (5) may be made after the date in paragraph (7).

(9) The Board must determine the retained firefighter opt-out member's service and pensionable pay during the opt-out period in accordance with article 65C (purchase of service during the extended limited period – supplemental provision)(**a**) of Part 11.

(10) If an application is made under paragraph (5), mandatory special period pension contributions must be paid in respect of the retained firefighter opt-out member's service during the mandatory special period.

(11) Within three months of receiving an application under paragraph (5), the Board must give P a notice setting out—

(a) the period of service during the opt-out period which P may purchase;

(b) the amount of pension contributions payable in respect of the opt-out period under paragraph (3);

(c) the pensionable pay and in appropriate cases the final pensionable pay which the Board has determined was paid during the period to which the entitlement relates.

(12) The period of service referred to in paragraph (2) does not include any period of service in respect of which the person paid—

(a) pension contributions under this Scheme as a standard member, or

(b) special pension contributions under this Scheme as a special member in relation to service during the limited period which the person elected to purchase following an application under article 65A (purchase of service during the limited period) or article 66A (election to purchase service during the limited period or the extended limited period) of Part 11.".

(**a**) Article 65C was inserted by S.R. 2023 No178.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the New Firefighters' Pension Scheme Order (Northern Ireland) 2007 (S.R. 2007 No. 215). The Schedule to this Order makes various amendments to the Scheme relating to retained firefighters. These include amendments to introduce new awards which are payable following the death of a retained firefighter, to extend the deadline for purchase of service during the extended limited period and to amend the eligibility criteria for some awards and conversions.

Article 1 introduces the term "retained firefighter opt-out member" and amends the definition of the "extended limited period" and "mandatory special period" for these members.

Article 2 amends article 11A(8) of Part 3 to expand the categories of member to whom a lump sum is payable under that article.

Article 3 introduces the missed pension lump sum grant and the survivor's missed pension lump sum grant. It includes details of restrictions to be applied in respect of both grants. It also changes the eligibility criteria in article 35C (additional death grants) so that those eligible to join the Scheme under article 66A (election to purchase service during the limited period or the extended limited period) of Part 11, in addition to those who elected to join it, will be eligible for the additional death grant. Finally, it extends the deadline for applications for the death grant for the extended limited period and the additional death grant by 12 months.

Article 4 amends article 66B (election to purchase service during the limited period or the extended limited period: supplemental provision) of Part 11 to extend the deadline for making an election to purchase service.

Article 5 amends articles 84B (converting membership from standard membership to special membership) and 84C (converting membership from standard membership to special membership - special pensioner members) of Part 12 to extend the categories of members eligible to convert standard membership to special membership.

Article 6 amends Part 15 to allow a retained firefighter opt-out member, or the spouse, civil partner or child of a retained firefighter opt-out member, to purchase periods of opted-out service as special service.

An impact assessment has not been produced for this Order as no impact on the private or voluntary sectors is foreseen.

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