



SCOTTISH PUBLIC PENSIONS AGENCY

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Clerks to the Joint Boards
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Dear Sir or Madam

SCOTTISH FIRE SERVICE CIRCULAR No 3/2003

FIREFIGHTERS PENSION SCHEME (FPS) RESERVE FORCES SERVICE LEAVE

The call-up of Reservists

1. It was thought that regular firefighters might welcome advice about the effects on their pension cover under the FPS of being called up for the Reserve Forces. Attached to this circular is a Question and Answer Note. It outlines the provisions in Part I of the FPS. It is the intention of the Office of the Deputy Prime Minister to include this material in the Commentary on the FPS in due course.
2. **The circular should be brought to the attention of all firefighters affected by the recent call-up of reservists and to Fire and Local Authority staff who are responsible for the administration of the FPS and to the attention of Fire Brigade Medical Officers.**
3. General information for reservists about pensions and other issues can be found on the Supporting Britain's Reservists and Employers (SaBRE) website at www.sabre.mod.uk. Reservists are reminded that mobilisation may affect life insurance and personal effects insurance policies.

Yours faithfully

Jim Preston

RESERVE FORCES SERVICE

The following notes outline the provisions in Part I of the Firemen's Pension Scheme Order 1992 relating to those regular firefighters who are called up for Reserve Forces Service. Nothing in these notes can overrule the provisions of the Order.

Who does this apply to?

This applies to a person who, immediately before undertaking Reserve Forces Service, was a regular firefighter.

What is meant by "Reserve Forces Service"?

This means the whole or part of the Royal Navy Reserve (including the Royal Fleet Reserve), the Royal Marines Reserve, the Territorial Army, the Army Reserve, the Air Force Reserve, the Royal Air Force Volunteer Reserve, or the Royal Auxiliary Air Force.

Will my period of Reserve Forces Service count under the Firefighters' Pension Scheme?

Yes. Your period of Reserve Forces Service will be treated as pensionable service as a firefighter with the fire authority employing you at the time you were called up.

Do I have to pay pension contributions?

This will depend upon how much Reserve Forces pay you receive. For this purpose "Reserve Forces pay" means the pay you get for performing Reserve Forces Service and any payments made to you under Part V of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951.

If your Reserve Forces pay is less than you would have received as a firefighter had you not been called up, you will not be required to pay pension contributions.

If your Reserve Forces pay is equal to or greater than the pay you would have received as a firefighter, then you will be required to pay pension contributions. The contributions would be based on the pay you would have received as a firefighter.

Part V of the 1951 Act contains a provision which allows the Reserve Forces pay to be made up to the pay you would have received had you not been called up. So it could well be that your Reserve Forces pay would be equal to the amount you would have received as a firefighter – in which case you would pay contributions.

What if my Reserve Forces Service falls into the period used for assessing my average pensionable pay for benefits?

Whether or not you are required to pay contributions as outlined above, the pay used in any assessment of average pensionable pay will be the pay you would have received had you not been called up but instead had continued to serve as a firefighter.

2. What if I do not return to firefighting after my Reserve Forces Service?

If you do not resume your employment as a regular firefighter with your brigade within one month of the end of your period of Reserve Forces Service, for pension purposes you will be treated as having left your employment at the time your Reserve Forces Service ended.

What if I am permanently disabled at the end of my period of Reserve Forces Service?

You would be entitled to an ill-health award as if you had been required to retire from the fire service on grounds of permanent disablement.

What if I die during my Reserve Forces Service?

Your widow(er) and children would be entitled to benefits as if you had died (not as a result of a qualifying injury) while serving as a firefighter.

What if I am killed or injured during my Reserve Forces Service?

There is no automatic entitlement to the injury and special awards made under the Firefighters' Pension Scheme to a firefighter and/or dependants as would be the case where the death or disability is derived from a qualifying injury received as a firefighter. A fire authority does, however, have some discretionary powers. Whether or not your fire authority would exercise those powers may depend upon the circumstances of an individual case and whether there would be entitlement to a War Disablement Pension or a War Widow(er)'s Pension under the War Pensions Scheme. The Ministry of Defence administers (these pension arrangements.)

Is there anything else I need to consider?

General information for reservists about pensions and other issues can be found on the SaBRE website at www.sabre.mod.uk. It is worth mentioning here that the notes on the website remind you that mobilisation may affect your life insurance and personal effects insurance policies – they may be invalidated if a reservist does not inform the insurer of the mobilisation. It recommends that you should check that all policies would continue to give the same or satisfactory cover.