

2022 No.

PUBLIC SERVICE PENSIONS

**The Firefighters' Pension Scheme (Scotland) (Amendment)
Regulations 2022**

Made - - - - - ***
Laid before Parliament - - - - - ***
Coming into force - - - - - *1st April 2022*

The Scottish Ministers make these Regulations in exercise of the powers conferred by sections 1(1) and (2)(f), 2(1) and 3(1) and 3(3)(b) and paragraph 6(c) of schedule 2 of the Public Service Pensions Act 2013 (“the 2013 Act”)(1) and all other powers enabling them to do so.

In accordance with section 21(1) of the 2013 Act, the Scottish Ministers consulted the representatives of such persons as appeared to the Scottish Ministers likely to be affected by these Regulations.

Title and commencement

1.—(1) These Regulations may be cited as the Firefighters' Pension Scheme (Scotland) (Amendment) Regulations 2022.

(2) These Regulations come into force on 1 April 2022.

Amendments to the Firefighters' Pension Scheme (Scotland) Regulations 2015

2.—(1) Schedule 2 to the Firefighters' Pension Scheme (Scotland) Regulations 2015(2) (transitional provisions) is amended as follows.

(2) In paragraph 1 (interpretation)—

(a) in the definition of “closing date”, in paragraph (c), for “member, or” to the end substitute—

“member,

(ii) if the member is a full protection member of the 1992 Scheme or the NFPS, 31 March 2022, or

(iii) if the member is not a protected member of one of those schemes, the scheme closing date.”

(b) in the definition of “transition date”, for “member, and” to the end substitute—

“member,

(1) 2013 c. 25. Section 3 was amended by section [79(2) to (6)] of the Public Service Pensions and Judicial Offices Act 2022 [c. xx].

(2) S.S.I. 2015/19

- (b) if the member is a full protection member of the 1992 Scheme or the NFPS, 1 April 2022, and
- (c) if the member is not a protected member of the 1992 Scheme or the NFPS, the day after the scheme closing date, or, if later, the day the person ceased to be a protected member of that scheme.”

(3) For sub-paragraph (3) of paragraph 3 (meaning of “tapered protection closing date”) substitute—

“(3) The tapered protection closing date for a tapered protection member of the NFPS to whom paragraph 9(5) or 21 applies is—

- (a) 31 March 2022; or
- (b) an earlier date determined by the scheme manager.”

(4) For sub-paragraph (2) of paragraph 9 (full protection members of the 1992 Scheme or the NFPS) substitute—

“(2) P ceases to be a full protection member of the 1992 Scheme or the NFPS, as the case may be—

- (a) on 31 March 2022; or
- (b) if earlier, when P ceases to be in pensionable service under that scheme and ceases to be eligible to be an active member of the NFPS, unless sub-paragraph (3) or (4) applies.”

Name

A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Firefighters’ Pension Scheme (Scotland) Regulations 2015, which established the Firefighters’ Pension Scheme (Scotland) 2015 (“the 2015 Scheme”), in consequence of provision made by the Public Service Pensions and Judicial Officers Act 2022 (c.[x]). The amendments ensure that existing pension schemes established by the Firemen’s Pension Scheme Order 1992 and the Firefighters’ Pension Scheme (Scotland) Order 2007 will, except for limited purposes, be closed to the accrual of pension benefits on and after 1st April 2022 and that any members treated as being in pensionable service under the existing pension schemes will, on that date, begin accruing benefits in the scheme established by the 2015 Regulations.