



Department for
Communities and
Local Government

Amendments to the New Firefighters' Pension Scheme 2006 Consultation

Compliance with Workplace Pension Reform as set out in the
Pensions Act 2008 and Occupational and Personal Pension
Schemes (Automatic Enrolment) Regulations 2010

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October, 2012

ISBN: 978-1-4098-3657-5

Topic of this consultation:	This consultation covers amendments to the New Firefighters' Pension Scheme (England), as set out in the Firefighters' Pension Scheme (England) Order 2006, in order for fire and rescue authorities to comply with their duties under Workplace Pension Reform ('automatic enrolment').
Scope of this consultation:	The department welcomes, in particular, comments on: <ul style="list-style-type: none"> • whether the attached draft Order, which will amend the Firefighters' Pension Scheme (England) Order 2006, achieves the policy intention • whether they are properly consistent with the Pensions Act 2008 and the Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010 • coming into force dates
Geographical scope:	This consultation applies to England only.
Impact Assessment:	There is no Impact Assessment associated with this consultation

Basic Information

To:	This consultation is primarily aimed at fire and rescue authorities, members of the firefighters' pension schemes, and key employer and employee representative bodies.
Body/bodies responsible for the consultation:	Workforce, Pay and Pensions Division The Department for Communities and Local Government
Duration:	This consultation will run for four weeks, from 10 October 2012 to 7 November 2012
Enquiries:	For any enquiries, please contact the Firefighters' Pension Team: firepensions@communities.gsi.gov.uk Alternatively please call: Sharon Mayers: 0303 444 3565 Any complaints about the way this consultation is being handled should be addressed to: consultationcoordinator@communities.gsi.gov.uk

How to respond:	<p>Please respond by email to: firepensions@communities.gsi.gov.uk</p> <p>Alternatively, please send postal responses to:</p> <p>Sharon Mayers Department for Communities and Local Government Zone 5/F6 Eland House Bressenden Place London SW1E 5DU Phone: 0303 444 3565 E-mail: sharon.mayers@communities.gsi.gov.uk</p>
Additional ways to become involved:	<p>The consultation will be available for viewing on the Department for Communities and Local Government website and the Knowledge Hub.</p> <p>As the consultation largely concerns technical issues, this will be primarily a written exercise.</p> <p>Key interest groups, including the fire and rescue authorities and relevant unions, will be engaged directly to ensure their awareness of the consultation.</p>
After the consultation:	<p>A summary of the response to the consultation will be published on the Department's website within three months of the end of the consultation period.</p>
Compliance with the Consultation Principles guidance	<p>This consultation complies with the Consultation Principles guidance.</p>

Background

Getting to this stage:	<p>The Government is consulting on a number of changes to the New Firefighters' Pension Scheme (2006) for England. The current arrangements for the Firefighters' Pension Scheme (1992) and the New Firefighters' Pension Scheme (2006) are set out in the consultation document.</p>
Previous engagement:	<p>Prior to publishing this consultation, the Department has engaged with key stakeholders including Employer and Union representatives through the Firefighters Pensions Committee and also through the Human Resources and Finance Directors group.</p>

New Firefighters' Pension Scheme (2006)

Consultation on proposed changes to the New Firefighters Pension Scheme 2006 to comply with "Automatic Enrolment"

1. Introduction

- 1.1 This document sets out the Government's proposed changes to the New Firefighters' Pension Scheme (England) to allow fire and rescue authorities to comply with their duties under Workplace Pension Reform as set out in the Pensions Act 2008 and the Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010.
- 1.2 A draft Order which will amend the New Firefighters' Pension Scheme (England), as set out in the Firefighters' Pension Scheme (England) Order 2006, is included at **Annex A**. The Order is intended to take effect from 1 January 2013.
- 1.3 Your comments on the proposed amendments, as set out in the draft Order, are now invited and should preferably be sent by email to firepensions@communities.gsi.gov.uk. Alternatively, postal replies may be sent to:

The Firefighters' Pension Team
5/F6
Eland House
Bressenden Place
London
SW1E 5DU
- 1.4 The closing date for responses is 7 November 2012.
- 1.5 References within this document to the "2008 Act" are to the Pensions Act 2008, to the "2010 Regulations" are to the Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010 and to "the Scheme" are to the New Firefighters' Pension Scheme (England) (also known as the New Firefighters' Pension Scheme 2006).

2. Background

- 2.1 The 2008 Act laid the foundations for a fundamental reform of workplace pensions ('Workplace Pension Reform') by requiring every employer to automatically enrol their eligible workers into a qualifying pension scheme, if they are not already in one, and to contribute to that pension. These reforms are being introduced on a rolling basis from October 2012 with large employers (and, in turn, their staff) being subject to the new requirements first.

- 2.2 Each employer, therefore, has a date, known as the “staging date” on which they are due to become subject to Workplace Pension Reform. The staging date is determined by an employer’s Pay As You Earn (PAYE) scheme details. Employers who are already within a year of their staging date should now have been contacted by the Pensions Regulator with guidance on what the new arrangements involve. However, if you wish to find your staging date, or require further information on what is involved, you can contact the Pensions Regulator at <http://www.thepensionsregulator.gov.uk/employers/staging-date-timeline.aspx>
- 2.3 Workers can choose to opt out of the pension scheme once they have been automatically enrolled or re-enrolled. However, employers have a duty to automatically re-enrol eligible workers who have opted out into their pension scheme every three years and to enrol an employee, who was not previously eligible, whenever they become eligible.
- 2.4 The 2008 Act provides for a transitional period for defined benefit schemes that allow the employer to choose to delay automatic enrolment in respect of eligible jobholders who meet certain conditions. Further details can be found in the 2008 Act and the 2010 Regulations, and on the Pensions Regulator’s website.

3. Implications for the Firefighters Pension Schemes

- 3.1 Both the Firefighters’ Pension Scheme (England) (“the 1992 Scheme”), as set out in the Firemen’s Pension Scheme Order 1992, and the New Firefighters’ Pension Scheme 2006 are qualifying schemes for the purpose of automatic enrolment. Existing members of these schemes will remain enrolled in them, unless they choose to leave the scheme.
- 3.2 Eligible jobholders, including firefighters who have previously made a decision to leave their pension scheme, need to be automatically enrolled into a pension scheme on their employer’s staging date. A recent informal consultation with Fire and Rescue Authorities indicates that the earliest staging date for an authority will be 1 January 2013.
- 3.3 The 1992 Scheme is a closed scheme and no new members are eligible to join that Scheme. Any member that elects (or who has previously elected) to opt out of the 1992 Scheme under rule G3 is unable to rejoin that Scheme. It is the Department’s view, therefore, that the 1992 Scheme does not need to provide for automatic enrolment or re-enrolment. Any former member of the 1992 Scheme, who had previously chosen to leave that Scheme (or who in the future decides to leave that Scheme) but who remains employed as a firefighter, will be automatically enrolled into the New Firefighters Pension Scheme 2006.
- 3.4 The New Firefighters’ Pension Scheme 2006 already allows for new firefighters, on taking up employment with a fire and rescue authority, to be automatically admitted into the Scheme. Firefighters currently have the option to leave the Scheme (by making a ‘contributions election’) at any time and therefore cease active membership. Firefighters who have less than 3 months’ qualifying service at the time the written notice to leave takes effect, will be treated as if

they had never been a member of the Scheme and will be entitled to a refund of contributions.

- 3.5 Currently, firefighters are able to elect to rejoin the Scheme (through a cancellation of the contributions election), provided that they have built up less than 40 years' pensionable service in the Scheme, have not opted out of the Scheme on more than one occasion, and, if the fire and rescue authority requires, have undergone a medical examination to satisfy the authority that they are in good health.
- 3.6 The Department's view, therefore, is that although the New Firefighters' Pension Scheme 2006 is largely unaffected by the changes required by Workplace Pension Reform, the Scheme will require some minor amendments, some of which are technical, as set out below, to ensure full compliance with the 2008 Act and 2010 Regulations, so that a fire and rescue authority can:
- (a) enrol eligible workers into the Scheme on the authority's staging date,
 - (b) comply with all other requirements regarding automatic enrolment and re-enrolment. This includes the need to ensure all firefighters are able to be members of the Scheme (irrespective of length of service, previous membership arrangements, or health conditions), are entitled to a refund of contributions if they opt out within a specific time scale and that the written notice to rejoin the Scheme complies with the requirements set out in the 2010 Regulations.
 - (c) comply with requirements in respect of firefighters choosing to re-join the Scheme ahead of automatic enrolment or re-enrolment.

4. Proposals

- 4.1 The amendments to the Scheme are set out in the Schedule to the draft Firefighters' Pension Scheme (England) (Amendment) Order 2012. Paragraph 1 of the draft Order inserts new definitions into the Scheme and paragraphs 2 and 3 amend the Scheme rules.

New Firefighters Pension Scheme 2006 Rule 1 of Part 2

Proposal

- 4.2 Paragraph 2(a)(i), of the draft Order, is a consequential amendment following the proposed changes to rule 6 of part 2. Paragraphs 4.9 to 4.20 of this document explain the changes to this rule.
- 4.3 The proposed amendment, in paragraph 2(a)(ii) of the draft Order, is to ensure that the automatic enrolment of firefighters, who were formerly members of the 1992 Scheme but who left that Scheme, constitutes an election to become a member of the New Firefighters' Pension Scheme 2006.

Background

- 4.4 Every fire and rescue authority will be required to automatically enrol their eligible firefighters into the New Firefighters Pension Scheme 2006 on the authority's staging date. This includes enrolling firefighters that were members of the 1992 Scheme and had elected not to pay pension contributions under that pension scheme.
- 4.5 Rule 1 of Part 2 of the Scheme currently allows firefighters who were eligible to be members of the 1992 Scheme but who left that Scheme to elect to become a member of the New Firefighters Pension Scheme 2006. For those firefighters that have previously opted out of the 1992 Scheme, then, an amendment is required to ensure that automatic enrolment of these firefighters on an authority's staging date constitutes an election to join the Scheme, meaning that they are then a member for the purposes of the Scheme rules.

New Firefighters Pension Scheme 2006 Rule 5 of Part 2

Proposal

- 4.6 The Department does not propose, in the Scheme rules, to require members who have been automatically enrolled or re-enrolled in the Scheme, or who have opted in, to comply with all the formalities set out in the 2010 Regulations (for example, using a certain form) in order to opt out within the first month, but instead proposes simply to require written notice.
- 4.7 However the Department proposes, as set out in paragraph 2(b) of the draft Order, to require that the written notice should be signed, or where it is in electronic format, that it should include a statement that the jobholder personally submitted the notice.

Background

- 4.8 Under the 2010 Regulations, if following auto-enrolment a jobholder wants to opt out they must complete a valid opt-out notice containing certain information and submit it to their employer. When a jobholder gives an opt-out notice, the employer must check that it is a valid notice in order for the jobholder to effectively opt out. The Department proposes simply to require written notice when someone wishes to opt out of the Scheme following automatic enrolment, re-enrolment or having opted in, which mirrors the existing way in which members can make a "contributions election" and cease to be a member of the Scheme. However the Department proposes to require in the Scheme rules that the written notice should be signed, or where it is in electronic format, that it should include a statement that the jobholder personally submitted the notice.

New Firefighters' Pension Scheme 2006 Rule 6(1) of Part 2

Proposal

- 4.9 The proposed amendment in paragraph 2(c)(i) of the draft Order is to ensure that the written notice given to the authority by a firefighter to cancel their

'contributions election' complies with the form of written notice required under the 2010 Regulations.

- 4.10 Paragraph 2(c)(ii) of the draft Order ensures that when a firefighter, who has previously made a contributions election, is enrolled or re-enrolled in the New Firefighters Pension Scheme 2006 then this constitutes a cancellation of a contributions election.

Background

- 4.11 Existing rule 6(1) of Part 2 of the New Firefighters Pension Scheme 2006 permits a firefighter to cancel a 'contributions election', made under Rule 5 of Part 2, by given written notice. If a firefighter chooses to cancel a 'contributions election' under this rule then they are effectively making a request to rejoin the Scheme.
- 4.12 Under Workplace Pension Reform, jobholders that have previously been automatically enrolled or re-enrolled into a pension scheme and have chosen to leave the scheme, and employees who are not eligible to be automatically enrolled under the 2008 Act (for example, because of their age or because they do not have qualifying earnings) but who wish to join a pension scheme, may request to join (or rejoin) a scheme. The 2010 Regulations specify that the request must be in the form of a signed written notice to the employer, or where the notice is in electronic format, it must include a statement confirming that the person personally submitted the notice. The form of notice required to cancel a 'contributions election' will therefore be amended to mirror the requirements in the 2010 Regulations.
- 4.13 Authorities have a duty to automatically enrol or re-enrol eligible jobholders who have made a contributions election under the Scheme (which includes opting out under the 2008 Act and 2010 Regulations) on either the employers staging date (for automatic enrolment) or approximately every three years (for re-enrolment). Automatic enrolment or re-enrolment in the Scheme will therefore constitute a cancellation of a 'contributions election'.

New Firefighters Pension Scheme 2006 Rule 6(2), 6(3) and 6(4) of Part 2

Proposal

- 4.14 The proposed amendments, in paragraph 2(c)(iii) of the draft Order are to remove Rules 6(2) and 6(3) of Part 2 of the New Firefighters Pension Scheme 2006 so that there are no restrictions on a fire and rescue authority being able to re-enrol a firefighter into the Scheme. The amendment to rule 6(4) is a consequential amendment needed because automatic enrolment or re-enrolment will constitute a cancellation of an contributions election.

Background

- 4.15 Rule 6(2) currently prevents the cancellation of a 'contributions election', that is to say preventing a former member re-joining the New Firefighters Pension Scheme 2006, in certain circumstances. Fire and rescue authorities are

prevented from re-enrolling firefighters into the Scheme, if:

- a firefighter has already been in the Scheme more than once;
- a firefighter can reckon 40 or more years of pensionable service.

- 4.16 In addition, rule 6(3) gives fire and rescue authorities an option not to allow firefighters to rejoin the Scheme unless the firefighter has undergone a medical examination, and satisfied the authority that they are in good health.
- 4.17 The removal of rules 6(2) and 6(3) of Part 2 will allow fire and rescue authorities to automatically re-enrol jobholders every three years, as required by the 2008 Act, irrespective of whether they have opted out of the Scheme more than once, the length of pensionable service they have accrued and whether or not they are determined to be in good health.
- 4.18 It should be noted that Rule 2(2) of Part 10 of the 2006 Scheme states that the maximum pensionable service of a firefighter is 45 years. The Department for Work and Pension's view is that a member that has obtained maximum pensionable service could be re-enrolled into a qualifying scheme without accruing further pensionable service, and still meet the requirements of Workplace Pension Reform.
- 4.19 It is the Department's view that the removal of rule 6(3) is required to enable fire and rescue authorities to fully comply with Workplace Pension Reform, to allow the automatic enrolment or re-enrolment of eligible jobholders and for those who choose to opt in or otherwise join the Scheme.
- 4.20 The amendment to rule 6(4) is a consequential amendment needed because automatic enrolment or re-enrolment will constitute a cancellation of an contributions election. The amendment clarifies the date from when someone who has been automatically enrolled or re-enrolled shall resume making pension contributions and be a member of the Scheme again.

New Firefighters Pension Scheme 2006 Rule 8 of Part 3

Proposal

- 4.21 The proposed amendment, in paragraph 3 of the draft Order, is to ensure that a firefighter who has previously been a member of the Scheme, and who, having been automatically enrolled or re-enrolled, or having opted in (as the case may be) then makes a contributions election within 3 months, is entitled only to a return of any pension contributions made since being automatically enrolled or re-enrolled or opting in on that occasion.

Background

- 4.22 Rule 8 of Part 3 currently allows for a new member to have a refund of their pension contributions (less tax) where a member leaves an authority's employment without satisfying an eligibility condition or makes a contributions election before the member has accrued three months' qualifying service.

- 4.23 Under Workplace Pension Reform, if a jobholder is automatically enrolled or re-enrolled into a pension scheme, or chooses to opt in to the scheme, and then wishes to opt-out they have approximately one month to do so. If a jobholder opts out within this 'opt out' period of one month then an employer must refund to the jobholder any contributions deducted from pay (less any tax due) and the person will be treated as though they were never a member of the scheme. The Department proposes to apply the more generous provision of a three month period following automatic enrolment or re-enrolment, during which members may make a contributions election, be entitled to a refund of contributions (less tax) and be treated as though they were never a member of the Scheme, which would mirror the existing provision for Scheme members.
- 4.24 Rule 8 requires amendment to allow for a return of contributions to those workers who have either previously been members of the Scheme and who have then been automatically enrolled or re-enrolled into the Scheme and have opted out within a specified period or for those jobholders who have chosen to opt in to the Scheme and then opted out. The Department is proposing that contributions should be refunded if a firefighter leaves the Scheme within three months of being enrolled or re-enrolled, or opting in. The firefighter will be treated as not having become a member of the Scheme on that occasion. This proposal reflects the current provision for new members to the Scheme.
- 4.25 Firefighters who have accrued pensionable service previously will not be entitled to a return of pension contributions in respect of that previous period. The refund will be limited to those contributions that have been made since being automatically enrolled or re-enrolled, or joining, on that occasion.

5. Other Information

- 5.1 Workplace Pension Reform places wider responsibilities on employers that are outside of the Firefighters Pension Scheme arrangements, for example a requirement to communicate the changes to all workers. Every employer needs to be aware of those responsibilities. More comprehensive information on what is involved can be found on the Pension Regulator's website.

6. Equalities

- 6.1 The Department's view is that the proposed amendments to the Firefighters Pension Scheme (England) Order 2006 to allow fire and rescue authorities to comply with their duties under automatic enrolment do not have any direct equalities implications.

7. Next steps

- 7.1 The Department invites consultees' views and any evidence relating to all aspects of this statutory consultation, and in particular to the following key questions:

Question 1 – Do the proposed amendments allow fire and rescue authorities to meet their requirements under Workplace Pension Reform?

Question 2 - Are there any further amendments that you think are required and have not been addressed?

Question 3 - Do you agree with the Department's view that the removal of the current provision (see paragraphs 4.16, 4.17 and 4.19) that enables fire and rescue authorities to stop a member rejoining the scheme unless they have undergone a medical examination and satisfied them that they are in good health is required to enable fire and rescue authorities to fully comply with their requirements under the 2008 Act and the 2010 Regulations? If not, what do you propose that would enable the Scheme to retain this provision whilst allowing fire and rescue authorities to fully comply with their duties under Workplace Pension Reform?

Question 4 – Do you agree that a member who has been automatically enrolled or re-enrolled in the Scheme, or who has opted in, should be able to opt out within the first month by giving written notice rather than by complying with all the formal notice requirements contained in the 2010 Regulations? Or would you prefer a specific, statutory requirement for the form set out in the 2010 Regulations to be used and the information specified in those Regulations to be required?

Question 5 - Do you agree that a member should be entitled to a return of pension contributions if, following automatic enrolment or re-enrolment or opting in to the Scheme, the member gives notice to leave the scheme within a three month timescale (see paragraphs 4.22 to 4.25)? If not, how much notice should a member be able to give to leave the scheme in order to receive a return of contributions and be treated as though they were never a member of the Scheme on that occasion?

Annex A – Draft Amendment Order for the New Firefighters’ Pension Scheme (England)

STATUTORY INSTRUMENTS

2012 No.

FIRE AND RESCUE SERVICES, ENGLAND

PENSIONS, ENGLAND

Firefighters’ Pension Scheme (England) (Amendment) (No. 2) Order 2012

<i>Made</i>	- - - -	***
<i>Laid before Parliament</i>		***
<i>Coming into force</i>	- -	1st January 2013

This Order is made in exercise of the powers conferred by sections 34 and 60 of the Fire and Rescue Services Act 2004(a).

In accordance with section 34(5) of that Act, the Secretary of State for Communities and Local Government has consulted such persons as he considers appropriate before making the Order.

The Secretary of State for Communities and Local Government makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Firefighters’ Pension Scheme (England) (Amendment) (No. 2) Order 2012.

- (2) This Order comes into force on 1st January 2013.
- (3) This Order applies in relation to England only(b).

Amendment of the Firefighters’ Pension Scheme (England) Order 2006

2. Schedule 1 to the Firefighters’ Pension Scheme (England) Order 2006(c) (in which the New Firefighters’ Pension Scheme (England) is set out) is amended in accordance with the Schedule to this Order.

Signed by authority of the Secretary of State for Communities and Local Government

Date	<i>Name</i> Parliamentary Under Secretary of State Department for Communities and Local Government
------	--

(a) 2004 c. 21.
(b) Powers under sections 34 and 60 of the Fire and Rescue Services Act 2004 are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously vested in the National Assembly for Wales by section 62 of the Fire and Rescue Services Act 2004. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), they were transferred to the Welsh Ministers. Powers under sections 34 and 60 of the Fire and Rescue Services Act 2004 are now vested in Scottish Ministers so far as they are exercisable in relation to Scotland (S.I. 2005/849).
(c) S.I. 2006/3432 (as amended by S.I. 2008/213 and S.I. 2012/954).

SCHEDULE

Article 2

Amendment of Schedule 1 to the Firefighters' Pension Scheme (England) Order 2006

1. In Part 1 (citation and interpretation), in rule (2) (interpretation), in paragraph (1), insert the following definitions at the appropriate places—

““the Automatic Enrolment Regulations” mean the Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010;”(a);

““automatic enrolment date” has the meaning given by section 3(7) (automatic enrolment) of the Pensions Act 2008;”;

““automatic re-enrolment date” means the date determined in accordance with regulation 12(b) of the Automatic Enrolment Regulations;”;

““automatically enrolled” means becoming a firefighter member of the Scheme on the automatic enrolment date;”;

““automatically re-enrolled” means becoming a firefighter member of the Scheme on the automatic re-enrolment date;”;

““opt in” means becoming a firefighter member of the Scheme pursuant to the right in section 7(3) of the Pensions Act 2008 and in accordance with the arrangements prescribed by the Automatic Enrolment Regulations, and similar expressions are to be construed accordingly;”.

2. In Part 2 (scheme membership, cessation and retirement)—

(a) In rule 1 (scheme membership)(c)—

(i) in paragraph (2), for “rule 6(4)” substitute “rule 6”; and

(ii) after paragraph (2) insert—

“(2A) Where a person who has made an election not to pay pension contributions under the 1992 Scheme is automatically enrolled in this Scheme, that enrolment shall constitute an election to become a firefighter member of this Scheme.”;

(b) in rule 5 (election not to make pension contributions) after paragraph (1) insert—

“(Z1) A written notice given under paragraph (1) of this rule should be signed by the firefighter member or, where the notice is in electronic format, it must include a statement confirming that that person personally submitted the notice.”; and

(c) in rule 6 (rejoining the Scheme)—

(i) for paragraph (1), substitute—

“(1) A person who has made a contributions election may cancel it by giving a signed written notice to the authority or, where the notice is in electronic format, it must include a statement confirming that that person personally submitted the notice.”

(ii) after paragraph 1, insert—

“(1A) Where a person who has made a contributions election is subsequently automatically enrolled or re-enrolled in the Scheme, that enrolment or re-enrolment shall constitute a cancellation of their contributions election.”;

(iii) omit paragraphs (2) and (3); and

(iv) in paragraph (4), after “is received” insert—

“or, in the case of a firefighter member who has been automatically enrolled or re-enrolled, with effect from the automatic enrolment or re-enrolment date (as the case may be)”.

(a) S.I. 2010/772.

(b) As amended by S.I. 2012/215.

(c) As amended by S.I. 2008/213.

3. In Part 3 (personal awards), in rule 8 (refund of aggregate pension contributions)—

(a) before paragraph (1), insert—

“(Z1) Paragraphs 1 and 2 are subject to paragraph (3).”; and

(b) after paragraph (2) insert—

“(3) In the case of a firefighter member who makes a contributions election subsequent to being automatically enrolled or re-enrolled in the Scheme, or having opted in to the Scheme, paragraphs (1) and (2) apply with the following modifications—

(a) “three months’ qualifying service” means three months’ qualifying service since being automatically enrolled or re-enrolled, or opting in (as the case may be), on that occasion; and

(b) “aggregate pension contributions” means the payments made by the firefighter member to his employing authority by way of pension contributions since being automatically enrolled or re-enrolled, or opting in (as the case may be), on that occasion.”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Schedule 1 to the Firefighters’ Pension Scheme (England) Order 2006. The amendments ensure that the New Firefighters’ Pension Scheme (England) (‘the Scheme’) complies with the requirements prescribed by the Pensions Act 2008 and the Occupational and Personal Pension Schemes (Automatic Enrolment) Regulations 2010 (‘the 2010 Regulations’) with regard to arrangements the employer must make in respect of automatic enrolment and automatic re-enrolment of a jobholder in a qualifying scheme. The amendments also ensure the Scheme complies with other arrangements prescribed by the Pensions Act 2008 and the 2010 Regulations by which a jobholder or a worker may join and/or leave a qualifying pension scheme.

A full impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.