

2022 No.

PUBLIC SERVICE PENSIONS, ENGLAND

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

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

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 1 and 3 of, and Schedule 3 to, the Public Service Pensions Act 2013(a).

In accordance with section 21 of that Act(b), the Secretary of State has consulted the representatives of such persons as appear to the Secretary of State likely to be affected by these Regulations.

In accordance with section 3(5) of that Act, these Regulations are made with the consent of the Treasury.

Citation, commencement and extent

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

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

(3) These Regulations extend to England.

Amendment of the Firefighters' Pension Scheme (England) Regulations 2014

2.—(1) Schedule 2 (transitional provisions) to the Firefighters' Pension Scheme (England) Regulations 2014(c) 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, 31st March 2022, or

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

(b) Section 21 was amended by section [79(7)] of the Public Service Pensions and Judicial Offices Act 2022.

(c) S.I. 2014/2848. Schedule 2 has been amended but none of the amendments are relevant to this instrument.

- (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,
 - (b) if the member is a full protection member of the 1992 Scheme or the NFPS, 1st 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) In paragraph 3(3) (meaning of “tapered protection closing date”), at the end insert “which must be before 1st April 2022”.
- (4) In paragraph 9(2) (full protection members of the 1992 Scheme or the NFPS), for the words “as the case may be,” to the end substitute—
 - “as the case may be—
 - (a) on 31st 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.”.

Minister of State
Home Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Firefighters’ Pension Scheme (England) Regulations 2014 (No. 2848) (“the 2014 Regulations”) in consequence of provision made by the Public Service Pensions and Judicial Offices Act 2022 (c. [x]). The amendments ensure that the existing pension schemes established by the Firefighters’ Pension Scheme (England) Order 2006 (No. 3432) and the Firemen’s Pension Scheme Order 1992 (No. 129) will, except for limited purposes, be closed to the accrual of pension benefits on and after 1st April 2022, and that any members currently treated as being in pensionable service under the existing pension schemes will, on that date, begin accruing benefits in the scheme established by the 2014 Regulations.

Regulation 2 amends Schedule 2 to the 2014 Regulations as follows—

- the definitions of “closing date” and “transition date” in paragraph 1 are amended to insert dates in respect of those terms that apply to full protection members so that provisions which refer to those terms operate as intended in respect of such members;
- paragraph 3(3) is amended so that a scheme manager may only set a tapered protection closing date under that paragraph if such date is before 1st April 2022;
- paragraph 9(2) is amended so that protection ceases for a full protection member on the earlier of the day on which they leave pensionable service under the existing scheme, or 31st March 2022.