

## PART M

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# SUPPLEMENTARY PROVISION

Part M refers through rule M1 to Schedule 12 which makes transitional arrangements for the introduction of the 1992 Scheme so that the changeover from the provisions of the 1973 Scheme can be managed with the minimum of inconvenience.



**General**

This rule refers to Schedule 12 which secures a "seamless" transition from the 1973 Scheme to the 1992 Scheme. Rights acquired under the 1973 Scheme (for instance, rights to pensions in cases of retirement before 1 March 1992 and rights to reckon service up to that date) will be saved by the Interpretation Act 1978 (Section 16(1)) but pensions payable under the 1973 Scheme will be liable to withdrawal etc under the new Part K, and so on.

**Opting-out  
Provision**

In theory some individuals may be "placed in a worse position" by the application of the new Scheme in relation to their pensions. There is a standard opting-out provision to cover any such cases to satisfy the requirements of the Superannuation Act 1972 (Section 12(4)). This allowed an individual 3 months from 1 March 1992 to elect that the 1973 Scheme provision shall continue to apply (if practical).

**Saving of Orders  
for old cases**

The previous Firemen's Pension Scheme Orders are revoked, so that their text will no longer appear on the statute book. However, their previous effect and any future effect they may be capable of having is saved.

**Interpretation**

Where a document is issued after the introduction of the 1992 Scheme which includes a reference to a 1973 Scheme provision this will be taken as a reference to the corresponding provision of the 1992 Scheme, unless otherwise intended.