

SCHEDULE 6

PENSIONABLE SERVICE AND TRANSFER VALUES

PART I

Rules F4 and F5

PAYMENTS IN RESPECT OF PREVIOUS SERVICE

1.—(1) Subject to sub-paragraphs (2) to (4), an amount which a person undertakes to pay in accordance with this paragraph shall be paid by such regular instalments as will secure that the whole of the amount has been paid within a period of 5 years and before he could be required to retire on account of age; the instalments are payable to the fire authority by whom he was employed when he gave the undertaking, who may deduct them from his pay.

(2) The person may at any time discharge his liability in whole or part by paying to the fire authority the whole or, as the case may be, a part of the balance then outstanding.

(3) If before he has paid the whole of the amount he—

- (a) retires and does not become entitled to an award other than one under rule B6 (repayment of aggregate pension contributions), or
- (b) dies,

any balance then outstanding shall be treated as having been paid.

(4) If before he has paid the whole of the amount he retires and becomes entitled to an award other than one under rule B6, the fire authority may deduct the balance then outstanding from payments of any award payable to him.

2.—(1) Subject to sub-paragraph (2), the sum referred to in rule F4(3)(c) is $A \times B \times C$, where—

- A is the person's annual pensionable pay at the time when he again became a regular firefighter,
- B is the factor ascertained from the Table below by reference to his age at that time, and
- C is the number of complete years he was entitled to reckon as pensionable service when he retired.

TABLE

<i>Age</i>	<i>Factor</i>
Under 38	0.0950
38	0.0960
39	0.0970
40	0.0980
41	0.0990
42	0.1005
43	0.1020
44	0.1040
45	0.1055
46	0.1070
47	0.1090
48	0.1105
49	0.1125
50	0.1140
51	0.1160
52	0.1180
53	0.1200
54	0.1230
55 and over	0.1260

(2) The sum calculated in accordance with sub-paragraph (1) shall be reduced by half of any amount which, if rule F4(1) had applied and a sum had been payable under rule F8 (transfer payments between authorities), would for the purpose of calculating that sum have constituted ($C \times D$) in the formula set out in paragraph 2 of Part III.

SERVICE RECKONABLE ON RECEIPT OF TRANSFER VALUE

1.—(1) If the previous scheme is a club scheme, the period reckonable as pensionable service is one equal to the period that would enable the fire authority to pay a transfer value, calculated on the cash equivalent basis, of the same amount as the one received.

(2) A transfer value is calculated on the cash equivalent basis if it is calculated in the manner prescribed under paragraph 14 of Schedule 1A to the Social Security Pensions Act 1975(a) for the calculation of cash equivalents.

(3) In calculating the period any sum representing interest that is included in the transfer value received is not to be taken into account.

2.—(1) Subject to paragraph 3, if the previous scheme is not a club scheme the period reckonable as pensionable service is that specified in sub-paragraph (2).

(2) The period is—

$$\frac{A+B+C}{D+E} \text{ years,}$$

where—

- A is the amount of the transfer value divided by the market level indicator for the month in which the material date occurred,
- B is any amount in respect of graduated National Insurance modification notified by the scheme managers of the previous scheme,
- C is 52 times the amount in respect of the person's guaranteed minimum multiplied by the minimum pension factor,
- D is 1/45th of the rate of his annual pensionable pay at the material date multiplied by the pension factor, and
- E is 1/90th of the rate of his annual pensionable pay at the material date multiplied by the surviving spouse's pension factor.

(3) The market level indicator for a month is to be ascertained from tables provided by the Government Actuary by reference to—

- (a) the person's age at the material date, and
- (b) the average gross redemption yield on the first working day of the month, ascertained from the FT-Actuaries Share indices published in the Financial Times newspaper, on British Government index-linked stocks redeemable after 5 years or more, assuming inflation at 5 per cent (interpolating where that yield is not an integral percentage).

(4) The amount in respect of the person's guaranteed minimum is F+G, where—

- F is so much of his guaranteed minimum as is attributable to service before 6th April 1988, and
- G is half of so much of it as is attributable to service after 5th April 1988.

(5) The material date—

- (a) if the transfer value was received within 12 months after the date on which the person became a regular firefighter, is that date, and
- (b) in any other case, is the date on which the transfer value was received.

(6) The factors are to be ascertained from tables provided by the Government Actuary by reference to the person's age on the material date.

3. If—

- (a) the previous scheme is not a club scheme, and
- (b) the person became a regular firefighter before 1st January 1986,

the period reckonable as pensionable service is one calculated as if paragraphs 1 to 4 of Part II of Schedule 9 to the 1973 Scheme and Part III of that Schedule, as in force on 29th February 1992, had continued in force.

(a) 1975 c.60; Schedule 1A was inserted by the Social Security Act 1985 (c.53), Schedule 1, paragraph 3, and amended by the Social Security Act 1986 (c.50), Schedule 10, paragraphs 29 and 30.

TRANSFER PAYMENTS BETWEEN FIRE AUTHORITIES

1. Subject to paragraphs 4, 5 and 7, the sum payable is the total of the basic element and the spouse's element.

2. The basic element is $(A \times B) - (C \times D)$, where—

A is the annual amount of the deferred pension to which the person would have been entitled had he become entitled to one on retiring from the first brigade ("the notional pension"),

B is the pension factor,

C is any annual amount by which such a deferred pension would have been reduced at state pensionable age under paragraphs 1 to 3 of Part VII of Schedule 2, and

D is the National Insurance factor.

3. The spouse's element is $E \times F$, where—

E is the annual amount of the accrued pension to which a surviving spouse would become entitled on the death of a person entitled to a deferred pension equal to the notional pension, and

F is 4 in the case of a man and 1.1 in the case of a woman.

4.—(1) If when he retired from the first brigade the person had a guaranteed minimum in relation to a pension provided by this Scheme, the sum calculated in accordance with paragraphs 1 to 3 is reduced by $G \times H$, where—

G is 52.18 times the guaranteed minimum, and

H is the minimum pension factor.

(2) If a contributions equivalent premium has been paid in respect of the person and has not been repaid, the sum calculated in accordance with paragraphs 1 to 3 is reduced by the amount of that premium.

5. If—

(a) the person had undertaken to make payments in accordance with paragraph 1 of Part I, and

(b) not all the instalments had been paid when he retired from the first brigade,

the sum calculated in accordance with paragraphs 1 to 3 is reduced by the actuarial equivalent of the unpaid instalments calculated, in accordance with tables provided by the Government Actuary, by reference to the amount of each instalment, the interval at which instalments were payable and the number of unpaid instalments.

6. The factors referred to in paragraphs 2 and 4 are to be ascertained from the Table below by reference to the person's age on retiring from the first brigade.

TABLE

Age	Men			Women		
	Pension factor	National Insurance factor	Minimum pension factor	Pension factor	National Insurance factor	Minimum pension factor
Less than 20	5.00	0.25	1.47	7.00	0.50	2.20
20	5.05	0.25	1.50	7.05	0.50	2.24
21	5.10	0.25	1.53	7.10	0.55	2.28
22	5.15	0.30	1.56	7.15	0.60	2.32
23	5.20	0.30	1.59	7.20	0.65	2.36
24	5.25	0.30	1.62	7.25	0.70	2.40
25	5.30	0.35	1.65	7.35	0.75	2.45
26	5.35	0.40	1.68	7.40	0.80	2.50
27	5.40	0.40	1.71	7.45	0.85	2.55
28	5.45	0.45	1.74	7.50	0.90	2.60
29	5.50	0.50	1.78	7.55	0.95	2.66
30	5.55	0.50	1.81	7.65	1.05	2.71
31	5.60	0.55	1.85	7.70	1.15	2.77
32	5.65	0.60	1.88	7.80	1.25	2.82

TABLE—continued

Age	Men			Women		
	Pension factor	National Insurance factor	Minimum pension factor	Pension factor	National Insurance factor	Minimum pension factor
33	5.70	0.65	1.92	7.90	1.35	2.88
34	5.75	0.70	1.95	7.95	1.45	2.93
35	5.80	0.80	1.99	8.05	1.55	2.99
36	5.85	0.90	2.02	8.15	1.65	3.05
37	5.90	1.00	2.06	8.25	1.75	3.11
38	5.95	1.10	2.10	8.35	1.85	3.17
39	6.00	1.20	2.14	8.45	1.95	3.24
40	6.05	1.30	2.18	8.55	2.10	3.31
41	6.10	1.40	2.22	8.65	2.25	3.38
42	6.15	1.50	2.26	8.75	2.45	3.45
43	6.20	1.60	2.30	8.85	2.65	3.52
44	6.25	1.70	2.34	8.95	2.90	3.59
45	6.30	1.80	2.39	9.05	3.15	3.66
46	6.40	1.90	2.44	9.15	3.40	3.74
47	6.50	2.00	2.48	9.25	3.70	3.82
48	6.60	2.20	2.53	9.35	4.00	3.90
49	6.70	2.40	2.58	9.45	4.35	3.98
50	6.80	2.60	2.62	9.55	4.75	4.06
51	6.90	2.90	2.67	9.65	5.15	4.15
52	7.10	3.20	2.72	9.80	5.60	4.24
53	7.30	3.50	2.78	9.95	6.10	4.33
54	7.50	3.80	2.84	10.10	6.65	4.43
55	7.70	4.20	2.90	10.30	7.25	4.53
56	8.00	4.60	2.97	10.50	7.95	4.63
57	8.30	5.00	3.04	10.75	8.75	4.74
58	8.60	5.40	3.12	11.05	9.65	4.85
59	9.00	5.80	3.20	11.40	10.65	4.97
60	9.50	6.30	3.28	11.75	11.75	—
61	9.50	6.80	3.36	11.75	11.75	—
62	9.50	7.40	3.44	11.75	11.75	—
63	9.50	8.10	3.53	11.75	11.75	—
64	9.50	9.00	3.64	11.75	11.75	—
65	9.50	9.50	—	11.75	11.75	—

7. If payment is not made within 6 months after the person retired from the first brigade, the sum calculated in accordance with paragraphs 1 to 6 is increased by adding to it interest at 9 per cent per annum, compounded with 3-monthly rests, for the period of 3 months beginning on the date of the retirement and for each subsequent complete period of 3 months before the date of payment.

PART IV

Rule F9

AMOUNT OF TRANSFER VALUE

1. A transfer value is calculated on the cash equivalent basis if it is calculated in the manner prescribed under paragraph 14 of Schedule 1A to the Social Security Pensions Act 1975 for the calculation of cash equivalents.

2. Where—

(a) a transfer value is payable to the scheme managers of a club scheme or a personal pension scheme, or

(b) a transfer value is payable to the scheme managers of an approved scheme which is not a club scheme and none of the service to which it relates is service before 1st October 1990, and no right to a cash equivalent was acquired, the transfer value is to be calculated on the cash equivalent basis.

3. Where—

- (a) a transfer value is payable to the scheme managers of an approved scheme which is not a club scheme, and
- (b) the service to which it relates includes service before 1st October 1990, and
- (c) no right to a cash equivalent was acquired,

the amount of the transfer value is the total of A and the greater of B and C, where—

- A is a notional transfer value, calculated on the cash equivalent basis, in respect of the person's service after 30th September 1990,
- B is a notional transfer value, calculated on the cash equivalent basis, in respect of his service before 1st October 1990, and
- C is a notional transfer payment, calculated in accordance with Part III of this Schedule, in respect of his service before 1st October 1990.

4. Where—

- (a) a transfer value is payable to the scheme managers of an approved scheme which is not a club scheme, and
- (b) the service to which it relates includes service before 1st October 1990, and
- (c) a right to a cash equivalent was acquired,

the amount of the transfer value is D-E, where—

- D is the transfer value that would have been payable if paragraph 3 had applied, and
- E is the amount of the cash equivalent.

5. Where—

- (a) a transfer value is payable to the scheme managers of a personal pension scheme, and
- (b) a right to a part cash equivalent was acquired,

the transfer value is to be calculated on the cash equivalent basis but as if the person's service as a regular firefighter had ended with 5th April 1988.

SCHEDULE 7

Rule F6

WAR SERVICE

PART I

WAR SERVICE ELECTIONS

1. A war service election is an election that additional pensionable service is to become, or to be treated as having become, reckonable by virtue of a period of war service.

2.—(1) A war service election is to be made by giving written notice to the appropriate fire authority.

(2) The appropriate fire authority is—

- (a) the fire authority maintaining the brigade in which the person in relation to whom the additional pensionable service is to be reckonable is serving, or
- (b) where he is entitled to a pension, or a surviving spouse's pension or child's allowance is payable, or a transfer value or cash equivalent has at any time become payable, the fire authority liable for payment.

(3) The notice must specify whether the additional pensionable service is to be reckonable—

- (a) for all purposes except those of calculating a surviving spouse's pension or child's allowance, or
- (b) for all purposes.

PART II

WAR SERVICE FOLLOWED BY FIRE SERVICE

1.—(1) For the purposes of this Part a person's war service is, subject to sub-paragraph (2), the period of his whole-time service after 2nd September 1939 but before 1st July 1950, while 18 years old or older, in the armed forces of the Crown, in the merchant navy or the mercantile marine, or