

LANCASHIRE COUNTY FIRE BRIGADE  
FIREMEN'S PENSION SCHEME ORDER 1992

## PART V

Rule B4

## INJURY AWARDS

1. (1) The amounts of the injury gratuity and the injury pension shall be calculated by reference to the Table below.

(2) In the headings in the Table references to relevant service are references to service which either was, or would but for an election under rule G3 have been, reckonable as pensionable service.

Table

Percentage Disablement	Gratuity as percentage of average pensionable pay	Pension as percentage of average pensionable pay			
		Less than 5 years' relevant service	5 or more but less than 15 years' relevant service	15 or more but less than 25 years' relevant service	25 or more years' relevant service
25 or less (Slight disablement)	12.5	15	30	45	60
More than 25 but not more than 50 (minor disablement)	25	40	50	60	70
More than 50 but not more than 75 (major disablement)	37.5	65	70	75	80
More than 75 (severe disablement)	50	85	85	85	85

2. (1) The amount of a person's injury pension calculated in accordance with paragraph 1 shall be reduced by three quarters of the amount of any other pension calculated by reference to pensionable service reckonable by virtue of the period of service during which he received the qualifying injury, or where an election under rule G3 had effect, by the amount of any other pension which would otherwise have been so calculated.
- (2) For the purposes of sub-paragraph (1) any reduction of the other pension under rule B7 or B9 (commutation and allocation) or under Part VIII of this Schedule shall be disregarded.
3. (1) In respect of any week for which the person is entitled to an additional benefit mentioned in Sub-paragraph (2) the amount of his injury pension calculated in accordance with paragraph 1 shall, subject to sub-paragraph (6), be reduced by the amount of the benefit.
- (2) The additional benefits are -
- so much of any disablement pension under section 57 of the Social Security Act 1975 (a) ("the 1975 Act") as relates to the qualifying injury, together with any relevant increase,
  - so much of any reduced earnings allowance under Section 59A of the 1975 Act as relates to the qualifying injury, and
  - until the material date, any benefit mentioned in sub-paragraph (3) together with any relevant increase.
- (3) The material date for the purposes of sub-paragraph (2)(c) is the first day after the person's retirement which is not, or is deemed not to be, a day of incapacity for work within the meaning of section 14 or 15 of the 1975 Act, or as the case may be, a day on which is incapable for work within the meaning of section 36 of the 1975 Act and the benefits are :-

- (a) any incapacity benefit under section 14 of the 1975 Act, including one to which he is only entitled by virtue of section 50A of that Act, and
  - (b) any incapacity pension under section 15 of the 1975 Act, including any additional component comprised in it in pursuance of section 14 of the Social Security Pensions Act 1975, and
  - (c) any severe disablement allowance under section 36 of the 1975 Act.
- (4) In relation to the additional benefit mentioned in sub-paragraph (2)(a), relevant increases comprise any increase in the benefit attributable to an increase in the pension -
- (a) by way of unemployability supplement under section 58 of the 1975 Act, excluding any increase under section 59 in the supplement,
  - (b) under section 60 of the 1975 Act (special hardship), or
  - (c) under section 64 or 66 of the 1975 Act (dependants),
- and so long as the person is receiving treatment as an in-patient at a hospital as a result of the qualifying injury, any increase in the pension under section 62 of the 1975 Act (hospital treatment).
- (5) In relation to the additional benefits referred to in sub-paragraph (2)(c), any increase under any provision of Chapter III of Part II of the 1975 Act (Dependants) is a relevant increase.
- (6) Where the provisions governing scales of additional benefits have changed after the person ceased to be a regular firefighter, the amount of the reduction in his injury pension in respect of any week on account of a particular benefit shall not exceed what it would have been if those provisions had not changed; where the benefit includes an amount attributable to an increase under section 60 of the 1975 Act (special hardship), it is to be assumed that the increase would have borne the same relationship to the former maximum for increases under that section.
- (7) Where a person has become entitled to a disablement gratuity under section 57 of the 1975 Act in respect of the qualifying injury, this paragraph has effect as if he were entitled under that section during the relevant period to a disablement pension of the amount that would be produced by converting the gratuity into an annuity for that period; the relevant period is the period taken into account, in accordance with section 57 of the 1975 Act for the purpose of making the assessment by reference to which the gratuity became payable.
4. No payment shall be made in respect of an injury pension for any week in which the aggregate reductions under paragraphs 2 and 3 equal or exceed the amount of the pension calculated in accordance with paragraph 1.

I declare that -

- \* (1) I am not in receipt of any of the above mentioned additional benefits.
- \* (2) I am in receipt of the following additional benefits.  
(Please state amounts and dates applicable)

\* Delete as appropriate

(3) I undertake to inform the Lancashire County Fire Brigade's Chief Fire Officer of any of the above mentioned additional benefits I may be awarded by the Department of Social Security in the future.

SIGNED Paul P. Durns  
 NAME AND ADDRESS Paul P. Durns  
7 King's Dr Fulwood  
Preston Lancs  
PR2 3HN

DATE 24th October 1996