

RULE M1

Transitional and other matters

Rule M1 and Schedule 12 allow a “seamless” transition between the Firemen’s Pension Scheme Order 1992 on its introduction, and earlier Orders.

General	<p>Rule M1 refers to Schedule 12 which is included to ensure a “seamless” transition from the Firemen’s Pension Scheme Order 1973 to the Firemen’s Pension Scheme Order 1992.</p> <p>Rights acquired under the FPS 1973 (e.g. the right to a pension where someone retired before 1 March 1992 and the right to reckon service before 1 March 1992) are saved by section 16 of the Interpretation Act 1978. However, these rights would still be subject to certain parts of the FPS 1992, e.g. withdrawal of pension under Part K, etc.</p>
Opting-out provision	<p>In theory, some individuals may have been placed in a worse position by the application of the Rules of the FPS 1992. For this reason, the 1992 Order contained a standard opting-out provision to cover any such cases to satisfy the requirements of the Superannuation Act 1972 (Section 12(4)). This allowed a person 3 months from 1 March 1992 to elect that the 1973 Order should continue to apply in his or her case (if practical).</p>
Saving of Orders for old cases	<p>Previous Firemen’s Pension Scheme Orders are revoked and so their text will no longer appear on the statute book.</p>
Interpretation	<p>Where a document is issued after the introduction of the FPS 1992 which includes a reference to a FPS 1973 provision, this will be taken as a reference to the corresponding provisions of the FPS 1992, unless otherwise intended.</p>