



**Rule A13 (continued)**

3. Because certain benefits were linked to the compulsory retirement ages, protected rights were given. For example, ill-health enhancement for a person with a compulsory retirement age of 60 would be measured against that retirement age; to measure against age 55 could result in a lower award. Consequently those in the role of Station Manager B and above will continue to have age 60 used for the assessment of certain benefits.

## RULE A13 Normal pension age

**"Points To Note" relating to Rule A13 before 21 November 2005**

*The following "Points To Note" were given in the Commentary to explain Rule A13 before 21 November 2005. At that time, instead of setting out "normal pension age", the rule set out the compulsory retirement ages for regular firefighters. These pages keep the Points as a reference source for old cases.*

1. The effect of compulsory retirement age on your entitlement to benefits is as follows –
  - if you complete at least 25 years' service before your compulsory retirement age you will be entitled to an ordinary pension on your retirement (see explanation of Rule B1)
  - if you cannot complete at least 25 years' service before your compulsory retirement age:
    - you will be entitled to a short service award if you retire on attaining compulsory retirement age (see explanation of Rule B2)
    - you will be entitled to a deferred pension if you retire before your compulsory retirement age (see explanation of Rule B5), and
    - you will be entitled to an ill-health award if you retire on grounds of permanent disablement. If the award is an ill-health pension, it must not exceed the ordinary or short service pension you would have got had you served on to compulsory retirement age (see "Method of calculation of ill-health pension" in the explanation of Rule B3).
  - if you retire on attaining your compulsory retirement age you will be entitled to commute up to one quarter of any ordinary, short service, ill-health or deferred pension to which you may be entitled (see the explanation of Rule B7).
2. If your compulsory retirement age changes because of an extension of service, all the details given in Point 1 above will relate to your new compulsory retirement age – see Points 3 and 4 below.
3. If you continue to serve to your new compulsory retirement age (i.e. to the end of the extended period) –
  - your pension may be improved if your pensionable service has increased and your pay has increased
  - the portion of pension you may commute for a lump sum will not have changed but the commutation factor could be lower if you have passed a birthday during the period of extension.

**"Points To Note" relating to Rule A13 before 21 November 2005 (continued)**

4. If, for any reason, you decide to leave voluntarily before completing your extension of service (i.e. before reaching your new compulsory retirement age) –
  - your pension may be improved if your pensionable service has increased and your pay has increased, but
  - if you have between 2 and 25 years' service you would not be entitled to immediate payment of pension; instead of having entitlement to the short service pension you would otherwise have expected, you would be entitled to a deferred pension payable at 60. (If you are age 60 or close to age 60 the deferred pension may be worth having because it is likely to be slightly more than a short service pension – see the explanation of Rules B2 and B5.)
  - if you have between 25 and 30 years' service you would be entitled to an ordinary pension, but you would not have the right to commute the maximum one quarter of it (as you could have done had you not had an extension of service or had you worked to your new compulsory retirement age). You will be restricted to a lower lump sum amount of two and a quarter times your uncommuted pension unless your fire authority use their discretion to allow you to commute one quarter – see the explanation of Rule B7.
  
5. If you have to retire on grounds of disablement during your period of extension, the ill-health pension limitation will be extended to the ordinary or short-service pension you would have got had you served on to your new compulsory retirement age (see explanation of Rule B3). Also, when determining whether your disablement is permanent, under Rule A10(1A) your fire authority must have regard to whether the disablement will continue to your new compulsory retirement age.
  
6. Because of the effect on benefits if you were to leave before completing an extended period of service, if such an extension is considered it may be better if it were granted for a limited period only, i.e. for a period during which the firefighter is unlikely to wish to leave voluntarily. There is nothing to prevent a further extension.
  
7. The predecessor of Rule A13 of the Firemen's Pension Scheme Order 1992 was Article 96 of the Firemen's Pension Scheme Order 1973. As in the case of Rule A13, Article 96 contained a power under which the fire authority could extend a member's service in special cases if they were satisfied that it would be in the interests of efficiency to do so. There was, however, a second part to Article 96 which gave a firefighter, up to and including the rank of Station Officer, the right to ask the fire authority to extend service for a limited period, under Article 96(2) after the attainment of age 55. Such an extension would still be at the discretion of the fire authority, however. Its purpose was to enable service to be extended to a completed year or half year. Before 1 May 1975, service for benefit purposes was assessed in completed years and half years. Consequently there could be cases where a firefighter may have paid contributions for part of a year yet not have it taken into account in the benefit calculation.

**RULE A13**  
**Normal pension age**

**"Points To Note" relating to Rule A13 before 21 November 2005 (continued)**

8. For this reason the extension which a firefighter could request under Article 96 was limited to a period not exceeding six months, which would enable the person to reckon –
- an additional completed year of pensionable service in the case of a member who would be entitled to reckon less than 20 years' pensionable service on attaining age 55, or
  - an additional completed half year of pensionable service in any other case.

With effect from 1 May 1975, pensionable service counted in years and days and this option was "rendered unnecessary". Article 96(2) was subsequently revoked. It remained in force long enough for anyone who attained age 55 and who elected for an extension of service before 6 September 1977 to have their case considered by the fire authority.

9. Before 13 September 2004, Rule A13(1) said "This rule applies to every whole-time member of a brigade appointed on terms under which he is or may be required to engage in firefighting". With effect from 13 September 2004 the wording was changed to "This rule applies to every regular firefighter." The change was made to reflect -
- amendments to the definition of "regular firefighter", and
  - amendments to allow part-time regular firefighters to participate in the FPS.