

**Rule A2, together with Schedule 1 to which it refers, explains how certain words and expressions used in the Scheme should be interpreted.**

- The glossary** Rule A2(1) tells you to look at Schedule 1 Part I of the Scheme for a glossary of certain expressions used in the FPS.
- A shortened list of the words and expressions as given in the glossary is copied onto pages A2-Chart 1 which follow. For the correct legal definition of terms and expressions, however, you should always look at the glossary itself or at the relevant Rule to which the glossary refers you.
- Expressions related to National Insurance and Social Security Acts** Rule A2(2) refers you to Schedule 1 Part II of the Scheme for an explanation of terms used in the FPS which come from Social Security legislation. These are looked at in more detail in Annexe 8 of the Commentary. Annexe 8 gives an overview of how State pension scheme arrangements inter-relate with the provisions of the FPS. For a precise definition of any term, however, you should refer to the definitions contained in Schedule 1 Part II of the Scheme.
- Paragraphs, Rules, Parts and Schedules** Rule A2(3) explains that the references to numbered Paragraphs, Rules, Parts and Schedules which you will come across, are references to Paragraphs, Rules, etc., of the FPS. The wording of the Order will indicate any unusual circumstances where this is not the case.
- Specified period** Rule A2(4) tells you how to work out a specified period of time. The period starts to count from the day following –
- a specified day, or
  - the day on which a particular event occurs.
- For example, if you are required to elect for a particular option within a set period, say within 14 days of being given details, by reference to Rule A2(4) you would be able to work out that if you were issued with the details on the 11th of June, the 14 day period would commence from, and include, the 12th of June.
- Useful reference source**
- FSC 30/2004: additions and amendments to Glossary in Schedule 1 Part I – regular firefighter; retained and volunteer members of a brigade; maternity, paternity and adoption leave; independent qualified medical practitioner.
  - FPSC 4/2005: changes in terminology as a consequence of the Fire and Rescue Services Act 2004 – "fire brigade" replaced by "fire and rescue service" (FRS) and "fire authority" replaced by "fire and rescue authority" (FRA).

## RULE A2 Interpretation

<b>List of words and expressions given in the Glossary in Schedule 1 Part I</b>
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Expression	Meaning (unless context requires otherwise)
“The 1973 Scheme”	The Firemen’s Pension Scheme 1973.
“The 1993 Act”	The Pension Schemes Act 1993.
“The 1999 Act”	The Welfare Reform and Pensions Act.
"Adoption leave"	Leave under sections 75A and 75B of the Employment Rights Act 1996 (and "ordinary adoption leave" and "additional adoption leave" shall be construed accordingly).
“Aggregate pension contributions”	See the explanation in Rule A8.
“Amount”	In relation to a pension or allowance, its annual amount.
“Appointed day”	In relation to England and Wales, 1 April 1948; in relation to Scotland, 16 May 1948.
“Approved scheme”	Superannuation arrangements which – <ul style="list-style-type: none"> <li>(a) are contained in a public general Act of Parliament or were made under such an Act by a Minister of the Crown, or</li> <li>(b) are contained in Northern Ireland legislation within the meaning of section 24 of the Interpretation Act 1978 or were made under such legislation by a Minister of the Crown (including a Northern Ireland Minister) or by a Northern Ireland ministry, department or head of department, or</li> <li>(c) are approved under Chapter I of Part XIV of the Income and Corporation Taxes Act 1988 and do not fall within section 591(2)(h) of that Act, or</li> <li>(d) provide for the payment of transfer values in respect of persons who become regular firefighters calculated in like manner as under arrangements falling within (a) above.</li> </ul>
“Award”	A pension, allowance, gratuity or repayment of pension contributions.
“Brigade”	A fire brigade maintained under the Fire Services Act 1947.
“Cash equivalent”, “part cash equivalent”	The first expression means a cash equivalent as mentioned in paragraph 12(1) of Schedule 1A to the Social Security Pensions Act 1975; the second expression means the cash equivalent of any part of the benefits mentioned in that sub-paragraph which is prescribed under sub-paragraph (2A) (continuation in employment after termination of pensionable service).

## RULE A2 Interpretation

### List of words and expressions given in the Glossary in Schedule 1 Part I (continued)

Expression	Meaning (unless context requires otherwise)
"Child"	In relation to a person who has died, a legitimate or illegitimate child, step-child or adopted child of that person; any other child who was substantially dependent on that person and either is related to him/her or is the child of his/her spouse or civil partner. "Parent" is to be construed accordingly.
"Compensation Scheme"	The Firefighter's Compensation Scheme (England) 2006 set out in Schedule 1 to the Firefighters' Compensation Scheme (England) Order 2006.
"Club scheme"	Superannuation arrangements which fall within (a), (b) or (d) of the definition of "approved scheme".
"Disabled", "disablement", "permanently disabled"	See the explanation in Rule A10.
"Eligible person"	See the explanation in Rule G5(2).
"Fire and rescue authority"	A fire and rescue authority under the Fire and Rescue Services Act 2004
"Half rate service"	See the explanation in paragraph 1(1) of Schedule 3 Part III.
"Independent qualified medical practitioner"	A medical practitioner holding a diploma in occupational medicine or an equivalent or higher qualification issued by a competent authority in an EEA State, or being an Associate, a Member or a Fellow of the Faculty of Occupational Medicine or an equivalent institution of an EEA State; and for the purposes of this definition "a competent authority" has the meaning given by the General and Specialist Medical Practice (Education, Training and Qualifications) Order 2003.
"Injury"	Includes disease.
"Maternity leave"	In respect of any period prior to 22nd August 1996, leave under section 33 of the Employment Protection (Consolidation) Act 1978 and in respect of any period on or after that date, leave under sections 71 and 73 of the Employment Rights Act 1996 (and "ordinary maternity leave" and "additional maternity leave" shall be construed accordingly).
"Mixed-rate service"	See the explanation in paragraph 1(2) of Schedule 3 Part III.
"Normal benefit age"	The age of 60.

## RULE A2 Interpretation

<b>List of words and expressions given in the Glossary in Schedule 1 Part I (continued)</b>
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<b>Expression</b>	<b>Meaning (unless context requires otherwise)</b>
"Normal pension age"	Age 55 – see Rule A13
"Paternity leave"	Leave under regulation 4 or 8 of the Paternity and Adoption Leave Regulations 2002.
"Pension"	A pension payable under the provisions of the Firemen's Pension Scheme Order 1992.
"Pensionable pay", "average pensionable pay"	See the explanation in Rule G1.
"Pensionable service"	See the explanation in Rule F1.
"Pension credit"	A credit under section 29(1)(b) of the 1999 Act, including a credit under corresponding Northern Ireland legislation.
"Pension credit benefit"	Construe in accordance with section 101B of the 1993 Act.
"Pension credit member"	Construe in accordance with section 124(1) of the Pensions Act 1995.
"Pension credit rights"	Construe in accordance with section 101B of the 1993 Act.
"Pension debit"	A debit under section 29(1)(a) of the 1999 Act.
"Pension debit member"	A person whose benefits or future benefits under this Scheme have been reduced under section 31 of the 1999 Act.
"Pension sharing order"	An order or provision mentioned in section 28(1) of the 1999 Act.
"Personal pension scheme"	This has the meaning given in <del>section 84(1) of the Social Security Act 1986</del> by section 1 of the 1993 Act. [Amended 6.4.2006]
"Principal Act"	The Fire Services Act 1947.
<del>"Qualifying injury"</del>	<del>See the explanation in Rule A9. [Deleted 1.4.2006]</del>

## RULE A2 Interpretation

### List of words and expressions given in the Glossary in Schedule 1 Part I (continued)

Expression	Meaning (unless context requires otherwise)
"Rank"	<del>Includes the post of chief officer or, in Scotland, of firemaster.</del> [Deleted 1.10.2004]
"Regular firefighter"	<p>In relation to any time before 1st March 1992, the expression means a regular fireman as defined in article 2 of the 1973 Scheme.</p> <p>In relation to any time after 29th February but before 13th September 2004, the expression means a whole-time member of a brigade appointed on terms under which he [or she] is or may be required to engage in firefighting whose appointment is not a temporary one.</p> <p>In relation to any time on or after 13th September 2004 and before 1st October 2004, the expression means a whole-time or part-time member of a brigade, other than a retained or volunteer member of a brigade, appointed on terms under which he is, or may be, required to engage in firefighting or, without a break in continuity of such an appointment, may be required to perform other duties as appropriate to his role as a firefighter (other than, or in addition to, engaging in firefighting) and whose appointment is not a temporary one.</p> <p>In relation to any time on or after 1st October 2004, the expression means a person who is employed –</p> <p>(a) by a fire and rescue authority as a firefighter (whether whole-time or part-time), other than as a retained or volunteer firefighter, and</p> <p>(b) on terms under which he is, or may be, required to engage in firefighting or, without a break in continuity of such employment, may be required to perform other duties appropriate to his role as a firefighter (whether instead of, or in addition to, engaging in firefighting) and whose employment is not temporary.</p>
"Relevant fire authority"	<del>Construe in accordance with Rule L1(4).</del> [Deleted 1.10.2004]
"Relevant fire and rescue authority"	See the explanation in Rule L1(4).
"Relevant service in the armed forces"	See the explanation in Rule A12.
"Retained member of a brigade"	<p><del>A member of a brigade who –</del></p> <p><del>— (a) is obliged to attend –</del></p> <p><del>— (i) at the station to which he is attached for training and maintenance duties for an average of 2 hours each week (or such lesser time as the officer in charge of the station, subject to any orders of the Chief Officer, considers necessary) and promptly, at any time, in response to a call; and</del></p> <p><del>— (ii) at any other station for reserve or standby duties in accordance with any orders he receives; and</del></p> <p><del>— (b) receives a retaining fee and such other fees as appropriate in respect of those duties.</del></p> <p>[Deleted and replaced 1.10.2004]</p>

## RULE A2 Interpretation

### List of words and expressions given in the Glossary in Schedule 1 Part I (continued)

Expression	Meaning (unless context requires otherwise)
"Retained member"	<del>A member of the fire and rescue service who is obliged to attend – (a) at the station to which he is attached for training, development and maintenance duties for an average of 2 hours each week and, promptly, at any time, in response to a call; and (b) at any incident or other occurrence, or at any other station for standby duties during the employee's period of availability. [Deleted 6.4.2006]</del>
"Retained firefighter" and "volunteer firefighter"	A person employed by an authority – (a) as a firefighter, but not as a regular firefighter, (b) on terms under which he is, or may be, required to engage in firefighting or, without a break in continuity of such employment, may be required to perform other duties appropriate to his role as a firefighter (whether instead of, or in addition to, engaging in firefighting), (c) otherwise than in a temporary capacity, and (d) who is obliged to attend at such times as the officer in charge considers necessary. And in accordance with the orders that he receives."
"Retire"	See the explanation in Rule A16.
<del>"Retirement date"</del>	<del>See the explanation in Rule G5(3). [Deleted 1.10.2004]</del>
"Scheme managers"	In relation to a scheme falling within (a) or (b) of the definition of "approved scheme", the Minister of the Crown or local or other authority or other person administering the scheme; in relation to any other scheme, the person responsible for its management.
"Serviceman"	See the explanation in Rule I1(1).
"Service pension"	An armed forces pension or allowance payable in pursuance of a Royal Warrant or other instrument.
"Surviving spouse"	A widow or widower.
"Tax year"	The 12 months beginning with 6 April in any year.
<del>"Volunteer member of a brigade fire and rescue service"</del>	<del>A member of a brigade the fire and rescue service who is obliged to carry out the duties set out in paragraph (a) of the definition of "Retained member of a brigade", but does not receive a retaining fee or other fees, as appropriate, in respect of those duties. [Deleted 6.4.2006]</del>
"War service"	See the explanation in paragraph 1 of Schedule 7 Part II.
"Weekly rate"	The weekly rate of a pension is its amount divided by 52 1/6th.