

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Rule L4B explains what happens in respect of awards for dependants if a person employed as both a regular and retained firefighter dies as a result of a qualifying injury

This Rule was removed from the FPS with effect from 1 April 2006 when the Firefighters' Compensation Scheme was introduced.

The explanation of Rule L4B as it applied up to 31 March 2006 appears on the following pages as "archived" material.

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Rule L4B explains what happens in respect of awards for dependants if a person employed as both a regular and retained firefighter dies as a result of a qualifying injury

Circumstances where rule would apply

Rule L4B(1) explains that this rule applies where a person employed as both a regular and a retained firefighter dies (during or after such employment) as a result of a qualifying injury and another person (a dependant) becomes entitled to a benefit in each of two listed categories.

(An independent qualified medical practitioner has to certify that the qualifying injury was the cause of death.)

Listed benefits

The first list of benefits is set out in Rule L4B(2) and is as follows –

- a spouse's or civil partner's pension under rule C1
- a spouse's or civil partner's accrued pension under Rule C4
- a spouse's or civil partner's requisite benefit and temporary pension under Rule C6
- a spouse's or civil partner's award under rule C7 (award where no other award is payable)
- a child's ordinary allowance under Rule D1
- a child's allowance under Rule D4

The second list of benefits is set out in Rule L4B(3) –

- a spouse's or civil partner's special award under Rule C2 (whether or not by virtue of Rule J4(4))
- a spouse's or civil partner's augmented award under Rule C3 (whether or not by virtue of Rule J4(4))
- a child's special allowance under Rule D2 (whether or not by virtue of Rule J4(5))
- a child's special gratuity under Rule D3 (whether or not by virtue of Rule J4(5))

Application of Rule

Rule L4B(4) says that if a dependant is entitled to an award in both the first and second lists, the award in the first list will be paid in full and the award in the second list will not be paid.

However, if the award in the second list would have been greater, Rule L4B(5) says that the fire and rescue authority that employed the deceased as a retained firefighter will pay the dependant an amount equal to the difference between the two awards.

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Rule L4B (continued)

Useful reference source • FPSC 4/2005: prevention of duplication of pension payments

Points To Note

1. Rule L4B was introduced into the FPS on 21 November 2005 to cover the situation where the dependant of a firefighter becomes entitled to benefits in respect of both regular and retained employments. Rule L4A explains what happens to a firefighter's own benefits in a similar situation.
2. There are various permutations of benefits. Pages L4B-Chart 1 and L4B-Chart 2 give examples of situations which could arise (the first for spouses or surviving civil partners, the second for children), the benefits payable, and they explain which fire and rescue authority has responsibility for payment.

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to spouse or civil partner, and fire and rescue authority responsible for payment

In the following chart, a column is ticked to indicate whether a person has received an injury in employment as a regular firefighter, ("Reg'ar"), as a retained firefighter ("Ret'd"), or both. If the column headed "FPS" is ticked it means the person was a member of the FPS in respect of the regular employment. In the case of retained employment, the possibility of injury in two retained employments is covered.

	Reg'ar	FPS	Injury	Ret'd	Injury	Award	Responsibility for payment
1	✓	✓	✓			As a regular firefighter: C2/C3 award. As a retained firefighter: no award. There is no duplication of benefits.	The FRA that employed the person as a regular firefighter would pay the C2/C3 award (L1(1)).
2	✓		✓			As a regular firefighter: C2/C3 award. As a retained firefighter: no award. There is no duplication of benefits.	The FRA that employed the person as a regular firefighter would pay the C2/C3 award (L1(1)).
3	✓	✓	✓	✓		As a regular firefighter: C2/C3 award. As a retained firefighter: no award. There is no duplication of benefits.	The FRA that employed the person as a regular firefighter would pay the C2/C3 award (L1(1)).
4	✓		✓	✓		As a regular firefighter: C2/C3 award. As a retained firefighter: no award. There is no duplication of benefits.	The FRA that employed the person as a regular firefighter would pay the C2/C3 award (L1(1)).

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to spouse or civil partner, and fire and rescue authority responsible for payment

	Reg'ar	FPS	Injury	Ret'd	Injury	Award	Responsibility for payment
5	✓	✓		✓	✓	<p>As a regular firefighter: C1 award.</p> <p>As a retained firefighter: J4(4)[C2/C3] award.</p> <p>There is duplication of benefits.</p> <p>L4(3) would allow only the greater of C1 or J4(4)[C2/C3] to be paid. But L4(3) is subject to L4B.</p> <p>L4B(4) requires the C1 award to be paid in full and prevents payment of the J4(4)[C2/C3] award. Then L4B(5) allows a top-up to the level of the J4(4)[C2/C3] award if greater.</p>	<p>If it is the same FRA that employed the person both as a regular and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise:</p> <ul style="list-style-type: none"> The FRA that employed the person as a regular firefighter would pay the C1 award (L1(1)). The FRA that employed the person as a retained firefighter will pay the top-up (L4B(5), L1(2) and L1(5)(b)).
6	✓			✓	✓	<p>As a regular firefighter: no award.</p> <p>As a retained firefighter: J4(4)[C2/C3] award.</p> <p>There is no duplication of benefits.</p>	<p>The FRA that employed the person as a regular firefighter would have no responsibility for any payment in respect of that employment.</p> <p>The FRA that employed the person as a retained firefighter would pay the J4(4)[C2/C3] award (L1(2) and L1(5)(b)).</p>
7				✓	✓	<p>He/she was not a regular firefighter, therefore there is no award in respect of that employment.</p> <p>As a retained firefighter: J4(4)[C2/C3] award.</p> <p>There is no duplication of benefits.</p>	<p>The FRA that employed the person as a retained firefighter would pay the J4(4)[C2/C3] award (L1(2)).</p>
8				✓	✓	<p>He/she was not a regular firefighter, therefore there is no award in respect of that employment.</p> <p>As a retained firefighter, the injury relates to just one of the employments. There would be a J4(4)[C2/C3] award in respect of that employment only.</p> <p>There is no duplication of benefits</p>	<p>The FRA that employed the person as a retained firefighter in the employment in which he/she sustained the injury would pay the J4(4)[C2/C3] award (L1(2)).</p>

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to spouse or civil partner, and fire and rescue authority responsible for payment

	Reg'ar	FPS	Injury	Ret'd	Injury		Award	Responsibility for payment
9				✓	✓	✓	<p>He/she was not a regular firefighter, therefore there is no award in respect of that employment.</p> <p>As a retained firefighter the injury is attributable to both retained employments.</p> <p>There is duplication of benefits.</p> <p>L4(5) allows only a single award under J4. L4(3) would require it to be the greater.</p>	<p>The FRAs that employed the person would pay the award in such proportion as may be agreed or in equal shares where there is no agreement (L4(5)).</p>
10	✓	✓	✓	✓	✓		<p>As a regular firefighter: C2/C3 award.</p> <p>As a retained firefighter: J4(4)[C2/C3] award.</p> <p>There is duplication of benefits.</p> <p>L4(3) would allow only the greater of the C2/C3 or the J4(4)[C2/C3] award to be paid. L4(3) is subject to L4B but L4B does not have any effect because neither award falls into L4B(2). Consequently under L4(3) just the greater of the C2/C3 or the J4(4)[C2/C3] award would be paid.</p>	<p>If it is the same FRA that employed the person both as a regular and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise, the FRA that employed the person as a regular firefighter and the FRA that employed him/her as a retained firefighter would pay the award in accordance with L1(5)(c), i.e. by such one of the employing authorities as may be agreed or by both of them in equal proportions or, in the absence of agreement between authorities, in equal proportions.</p> <p>Ideally however, the authority that employed the person as a regular firefighter should pay at least the "underpin" value of a contributory C1 award</p>

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to spouse or civil partner, and fire and rescue authority responsible for payment

	Reg'ar	FPS	Injury	Ret'd	Injury	Award	Responsibility for payment
11	✓	✓	✓	✓	✓	<p>As a regular firefighter: C2/C3 award.</p> <p>As a retained firefighter, where the injury was sustained in just one of the retained employments, there is a single J4(4)[C2/C3] award.</p> <p>There is duplication of benefits.</p> <p>L4(3) would allow only the greater of the C2/C3 or the J4(4)[C2/C3] award to be paid. L4(3) is subject to L4B but L4B does not have any effect because neither award falls into L4B(2). Consequently under L4(3) just the greater of the C2/C3 or the J4(4)[C2/C3] award would be paid.</p>	<p>If it is the same FRA that employed the person as a regular and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise, the FRA that employed the person as a regular firefighter and the FRA that employed him/her as a retained firefighter would pay the award in accordance with L1(5)(c), i.e. in such proportions as may be agreed or by both of them in equal proportions or, in the absence of agreement between authorities, in equal proportions.</p> <p>Ideally however, the authority that employed the person as a regular firefighter should pay at least the "underpin" value of a contributory C1 award.</p>
12	✓	✓	✓	✓	✓	<p>As a regular firefighter: C2/C3 award.</p> <p>As a retained firefighter, where the injury is considered to have been sustained in both of the retained employments the person is potentially entitled to two J4(4)[C2/C3] awards.</p> <p>There is duplication of benefits.</p> <p>L4(5) allows only the greater of the two J4(4)[C2/C3] awards to be paid. L4(3) would allow only the greater of the C2/C3 award or the J4(4)[C2/C3] award to be paid.</p>	<p>If it is the same FRA that employed the person both as a regular and a retained firefighter (in both retained employments), that authority will meet the total cost.</p> <p>Otherwise, L4(5) requires the J4(4)[C2/C3] award to be paid by the FRAs that employed the person as a retained firefighter in such proportion as may be agreed or in equal shares if no agreement. However L1(5)(c) would require the authorities that employed the person as a retained firefighter and as a regular firefighter to pay the costs in agreed proportion or equal shares.</p> <p>This means that potentially three FRAs may have responsibility for the payment.</p> <p>As in Scenario 10, ideally the authority that employed the person as a regular firefighter should pay the "underpin" value of the contributory C1 award.</p>

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to spouse or civil partner, and fire and rescue authority responsible for payment

	Reg'ar	FPS	Injury	Ret'd	Injury	Award	Responsibility for payment
13	✓		✓	✓	✓	<p>As a regular firefighter: C2/C3 award.</p> <p>As a retained firefighter: J4(4)[C2/C3] award.</p> <p>There is duplication of benefits.</p> <p>L4(3) would allow only the greater of the C2/C3 or the J4(4)[C2/C3] award to be paid. L4(3) is subject to L4B but L4B does not have any effect because neither award falls into L4B(2). Consequently under L4(3) just the greater of the C2/C3 or the J4(4)[C2/C3] award would be paid.</p>	<p>If it is the same FRA that employed the person both as a regular and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise, the FRA that employed the person as a regular firefighter and the FRA that employed him/her as a retained firefighter would pay the award in accordance with L1(5)(c), i.e. by one of them, or by both of them in such proportions as may be agreed or, where there is no agreement, in equal proportions.</p>
14	✓		✓	✓	✓	<p>As a regular firefighter: C2/C3 award.</p> <p>As a retained firefighter where the injury is considered to have been sustained in just one of the retained employments there is a single J4(4)[C2/C3] award.</p> <p>There is duplication of benefits.</p> <p>L4(3) would allow only the greater of the C2/C3 or the J4(4)[C2/C3] award to be paid. L4(3) is subject to L4B but L4B does not have any effect because neither award falls into L4B(2). Consequently under L4(3) just the greater of the C2/C3 or the J4(4)[C2/C3] award would be paid.</p>	<p>If it is the same FRA that employed the person both as a regular and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise, the FRA that employed the person as a regular firefighter and the FRA that employed him/her as a retained firefighter would pay the award in accordance with L1(5)(c), i.e. by one of them or by both of them in such proportions as may be agreed or, where there is no agreement, in equal proportions.</p>

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to spouse or civil partner, and fire and rescue authority responsible for payment

	Reg'ar	FPS	Injury	Ret'd	Injury	Award	Responsibility for payment
15	✓		✓	✓	✓	<p>As a regular firefighter: C2/C3 award.</p> <p>As a retained firefighter where the injury is considered to have been sustained in both of the retained employments there are potentially two J4(4)[C2/C3] awards.</p> <p>There is duplication of benefits.</p> <p>L4(5) allows only the greater of the two J4(4)[C2/C3] awards to be paid.</p> <p>L4(3) would allow only the greater of the C2/C3 or the J4(4)[C2/C3] award to be paid. L4(3) is subject to L4B but L4B does not have any effect because neither award falls into L4B(2).</p> <p>Consequently under L4(3) just the greater of the C2/C3 or (the greater) J4(4)[C2/C3] award would be paid.</p>	<p>If it is the same FRA that employed the person both as a regular and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise, the FRA that employed the person as a regular firefighter and the FRAs that employed him/her as a retained firefighter would pay the award in accordance with L4(5) and L1(5)(c), i.e. by one authority as agreed, or in agreed proportion or, in the absence of agreement between authorities, in equal proportions.</p>

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to child, and fire and rescue authority responsible for payment

In the following chart, a column is ticked to indicate whether a person has received an injury in employment as a regular firefighter, ("Reg'ar"), as a retained firefighter ("Ret'd"), or both. If the column headed "FPS" is ticked it means the person was a member of the FPS in respect of the regular employment. In the case of retained employment, the possibility of injury in two retained employments is covered.

	Reg'ar	FPS	Injury	Ret'd	Injury	Award	Responsibility for payment
1	✓	✓	✓			As a regular firefighter: D2/D3 award. As a retained firefighter: no award. There is no duplication of benefits.	The FRA that employed the person as a regular firefighter would pay the D2/D3 award (L1(1)).
2	✓		✓			As a regular firefighter: D2/D3 award. As a retained firefighter: no award. There is no duplication of benefits.	The FRA that employed the person as a regular firefighter would pay the D2/D3 award (L1(1)).
3	✓	✓	✓	✓		As a regular firefighter: D2/D3 award. As a retained firefighter: no award. There is no duplication of benefits.	The FRA that employed the person as a regular firefighter would pay the D2/D3 award (L1(1)).
4	✓		✓	✓		As a regular firefighter: D2/D3 award. As a retained firefighter: no award. There is no duplication of benefits.	The FRA that employed the person as a regular firefighter would pay the D2/D3 award (L1(1)).

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to child, and fire and rescue authority responsible for payment

	Reg'ar	FPS	Injury	Ret'd	Injury	Award	Responsibility for payment
5	✓	✓		✓	✓	<p>As a regular firefighter: D1 award</p> <p>As a retained firefighter: J4(5)[D2/D3] award</p> <p>There is duplication of benefits.</p> <p>L4(3) would allow only the greater of D1 or J4(5)[D2/D3] to be paid. But L4(3) is subject to L4B.</p> <p>L4B(4) requires the D1 award to be paid in full and prevents payment of the J4(5)[D2/D3] award. Then L4B(5) allows a top-up to the level of the J4(5)[D2/D3] if greater.</p>	<p>If it is the same FRA that employed the person both as a retained and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise:</p> <ul style="list-style-type: none"> • The FRA that employed the person as a regular firefighter would pay the D1 award (L1(1)). • The FRA that employed the person as a retained firefighter will pay the top-up (L1(2) and L1(5)(b)).
6	✓			✓	✓	<p>As a regular firefighter: no award.</p> <p>As a retained firefighter: J4(5)[D2/D3] award.</p> <p>There is no duplication of benefits.</p>	<p>The FRA that employed the person as a regular firefighter would have no responsibility for any payment in respect of that employment.</p> <p>The FRA that employed the person as a retained firefighter would pay the J4(5)[D2/D3] award (L1(2) and L1(5)(b)).</p>
7				✓	✓	<p>He/she was not a regular firefighter, therefore there is no award in respect of that employment.</p> <p>As a retained firefighter: J4(5)[D2/D3] award.</p> <p>There is no duplication of benefits.</p>	<p>The FRA that employed the person as a retained firefighter would pay the J4(5)[D2/D3] award (L1(2)).</p>
8				✓	✓	<p>He/she was not a regular firefighter, therefore there is no award in respect of that employment.</p> <p>As a retained firefighter, the injury relates to just one of the employments. There would be a J4(5)[D2/D3] award in respect of that employment only.</p> <p>There is no duplication of benefits</p>	<p>The FRA that employed the person as a retained firefighter in the employment in which he/she sustained the injury would pay the J4(5)[D2/D3] award (L1(2)).</p>

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to child, and fire and rescue authority responsible for payment

	Reg'ar	FPS	Injury	Ret'd	Injury		Award	Responsibility for payment
9				✓	✓	✓	<p>He/she was not a regular firefighter, therefore there is no award in respect of that employment.</p> <p>As a retained firefighter the injury is attributable to both retained employments.</p> <p>There is duplication of benefits.</p> <p>L4(5) allows only a single award under J4. L4(3) would require it to be the greater.</p>	<p>The FRAs that employed the person would pay the award in such proportion as may be agreed or in equal shares where there is no agreement (L4(5)).</p>
10	✓	✓	✓	✓	✓		<p>As a regular firefighter: D2/D3 award.</p> <p>As a retained firefighter: J4(5)[D2/D3] award.</p> <p>There is duplication of benefits.</p> <p>L4(3) would allow only the greater of the D2/D3 or the J4(5)[D2/D3] award to be paid. L4(3) is subject to L4B but L4B does not have any effect because neither award falls into L4B(2). Consequently under L4(3) just the greater of D2/D3 or J4(5)[D2/D3] would be paid.</p>	<p>If it is the same FRA that employed the person both as a regular and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise, the FRA that employed the person as a regular firefighter and the FRA that employed him/her as a retained firefighter would pay the award in accordance with L1(5)(c), i.e. by such one of the employing authorities as may be agreed, or by both of them in equal proportion or, in the absence of agreement between authorities, in equal proportions.</p> <p>Ideally however, the authority that employed him/her as a regular firefighter should pay at least the "underpin" value of a contributory D1 award</p>

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to child, and fire and rescue authority responsible for payment

	Reg'ar	FPS	Injury	Ret'd	Injury	Award	Responsibility for payment
11	✓	✓	✓	✓	✓	<p>As a regular firefighter: D2/D3 award.</p> <p>As a retained firefighter, where the injury was sustained in just one of the retained employments, there is a single J4(5)[D2/D3] award.</p> <p>There is duplication of benefits.</p> <p>L4(3) would allow only the greater of the D2/D3 or the J4(4)[D2/D3] award to be paid. L4(3) is subject to L4B but L4B does not have any effect because neither award falls into L4B(2).</p> <p>Consequently under L4(3) just the greater of the D2/D3 or the J4(5)[D2/D3] award would be paid.</p>	<p>If it is the same FRA that employed the person as a regular and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise, the FRA that employed the person as a regular firefighter and the FRA that employed him/her as a retained firefighter would pay the award in accordance with L1(5)(c), i.e. in such proportions as may be agreed or by both of them in equal proportions or, in the absence of agreement between authorities, in equal proportions.</p> <p>Ideally however, the authority that employed the person as a regular firefighter should pay at least the "underpin" value of a contributory D1 award.</p>

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to child, and fire and rescue authority responsible for payment

	Reg'ar	FPS	Injury	Ret'd	Injury		Award	Responsibility for payment
12	✓	✓	✓	✓	✓	✓	<p>As a regular firefighter: D2/D3 award.</p> <p>As a retained firefighter, where the injury is considered to have been sustained in both of the retained employments the person is potentially entitled to two J4(5)[D2/D3] awards.</p> <p>L4(5) allows only the greater of the two J4(5)[D2/D3] awards to be paid. L4(3) would allow only the greater of the D2/D3 award or the J4(5)[D2/D3] award to be paid.</p>	<p>If it is the same FRA that employed the person both as a regular and a retained firefighter (in both retained employments), that authority will meet the total cost.</p> <p>Otherwise, L4(5) requires the J4(5)[D2/D3] award to be paid by the FRAs that employed him/her as a retained firefighter in such proportion as may be agreed or in equal shares if no agreement. However L1(5)(c) would require one of the authorities that employed the person as a retained firefighter or as a regular firefighter to pay the award, or for the award to be paid in such proportion between them as may be agreed or, where there is no agreement, in equal proportions.</p> <p>This means that potentially three FRAs may have responsibility for the payment.</p> <p>As in Scenario 10, ideally the authority that employed him/her as a regular firefighter should pay the "underpin" value of a contributory D1 award.</p>
13	✓		✓	✓	✓		<p>As a regular firefighter: D2/D3 award.</p> <p>As a retained firefighter: J4(5)[D2/D3] award.</p> <p>There is duplication of benefits.</p> <p>L4(3) would allow only the greater of the D2/D3 or the J4(5)[D2/D3] award to be paid. L4(3) is subject to L4B but L4B does not have any effect because neither award falls into L4B(2).</p> <p>Consequently under L4(3) just the greater of the D2/D3 or the J4(5)[D2/D3] award would be paid.</p>	<p>If it is the same FRA that employed the person both as a regular and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise, the FRA that employed the person as a regular firefighter and the FRA that employed him/her as a retained firefighter would pay the award in accordance with L1(5)(c), i.e. by one of them, or both of them in such proportions as may be agreed or, where there is no agreement, in equal proportions.</p>

RULE L4B ARCHIVED

Prevention of duplication: other awards for spouses, civil partners or children of persons who are both regular and retained firefighters

Award due to child, and fire and rescue authority responsible for payment

14	✓		✓	✓		✓	<p>As a regular firefighter: D2/D3 award.</p> <p>As a retained firefighter where the injury is considered to have been sustained in just one of the retained employments there is a single J4(5)[D2/D3] award.</p> <p>There is duplication of benefits.</p> <p>L4(3) would allow only the greater of the D2/D3 or the J4(5)[D2/D3] award to be paid. L4(3) is subject to L4B but L4B does not have any effect because neither award falls into L4B(2).</p> <p>Consequently under L4(3) just the greater of the D2/D3 or the J4(5)[D2/D3] award would be paid.</p>	<p>If it is the same FRA that employed the person both as a regular and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise, the FRA that employed the person as a regular firefighter and the FRA that employed him/her as a retained firefighter would pay the award in accordance with L1(5)(c), i.e. by one of them, or both of them in such proportions as may be agreed or, where there is no agreement, in equal proportions.</p>
15	✓		✓	✓	✓	✓	<p>As a regular firefighter: D2/D3 award.</p> <p>As a retained firefighter where the injury is considered to have been sustained in both of the retained employments there are potentially two J4(5)[D2/D3] awards.</p> <p>There is duplication of benefits.</p> <p>L4(5) allows only the greater of the two J4(5)[D2/D3] awards to be paid.</p> <p>L4(3) would allow only the greater of the D2/D3 or the J4(5)[D2/D3] award to be paid. L4(3) is subject to L4B but L4B does not have any effect because neither award falls into L4B(2).</p> <p>Consequently under L4(3) just the greater of the D2/D3 or (the greater) J4(5)[D2/D3] award would be paid.</p>	<p>If it is the same FRA that employed the person both as a regular and a retained firefighter, that authority will meet the total cost.</p> <p>Otherwise, the FRA that employed the person as a regular firefighter and the FRAs that employed him/her as a retained firefighter would pay the award in accordance with L4(5) and L1(5)(c), i.e. by one authority as agreed, or in agreed proportions or, in the absence of agreement between authorities, in equal proportions.</p>