

Firefighters' Pension Scheme

Transfers

January 2020

Editions

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An important note

- These slides are intended to provide an overview of the scheme regulations and should not be regarded as a complete guide
 - Please note that it is the responsibility of each FRA to apply the rules of the pension scheme in accordance with their interpretation of the scheme and to obtain legal advice where they consider this is necessary.
 - The information contained in these slides have been provided to give some guidance on the rules of the pension scheme, however they should be used only as an informal view of the interpretation of the firefighters' pension scheme as only a Court can provide a definitive interpretation of legislation.
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GAD Guidance & Regulations

- All GAD Guidance and Regulations are now available on www.fpsregs.org
 - [GAD Guidance](#)
 - [Regulations](#)
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Transfers

- **If a taper protected 1992 Scheme member, moved to another FRA eg Scotland a few years prior to retirement, would they get retirement benefits calculated on their regional variant of the FPS 2015?**
 - No, transfers from Wales, Scotland or Northern Ireland should be treated as a club transfer in accordance with paragraph 4.2 of the GAD Guidance.
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Transfers

- **Can you transfer from the 2006 scheme into the 2015 scheme?**
- No, [regulation 45 of schedule 2 \(transitional regs\)](#) confirms you cannot transfer final salary benefits (ie 1992/2006) under the club arrangement into a CARE scheme. They must go into a final salary scheme

Acceptance of club transfer value payments

45. Any part of a club transfer value payment from another scheme that relates to a member's final salary benefit must be paid into the NFPS.

Transfers – non club

- Equally 2006 benefits can not be transferred under a non club arrangement
 - The regs confirm that a transfer may not be made from a connected scheme
 - Therefore as the 1992/2006 scheme is a connected scheme of the 2015 scheme, a transfer cannot be made into the 2015 scheme under the non club arrangements.
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Transfers In

	1992 Scheme	2006 Scheme (standard members)	2006 Scheme (special members)	2015 Scheme
Club Transfers	Not allowed scheme closed	12 months of joining	12 months of election (if previously not a member) otherwise 12 months of joining	12 months of joining
Non Club – Occupational	Not allowed scheme closed	No restriction	No restriction	No restriction
Non Club – Non Occupational	Not allowed scheme closed	One year (scheme discretion)	One year (scheme discretion) No restriction if previously not a member	One year (scheme discretion)

1992 Scheme [F7(2)]

	1992 Scheme
Club Transfers	Not allowed Club memorandum restricts to 12 months of joining and compulsory transfers are not included
Non Club – Occupational	Not allowed – 12 months of joining (scheme closed from 2006)
Non Club – Non Occupational	Not allowed – 12 months of joining (scheme closed from 2006)

- (2) The person must have made a written request to the authority , not later than 12 months after the date on which he takes up employment with them, for the transfer value to be accepted.
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2006 Scheme (Standard) Part 12 (9)

	2006 Scheme (Standard members)
Club Transfers	Club memorandum restricts to 12 months of joining and compulsory transfers are not included
Non Club – Occupational	No restriction [Part 12(9)]
Non Club – Non Occupational	Period of one year from active membership or such period as scheme manager may allow [Part 12 (9)(1cii)]

2006 Scheme (Special) Part 12 (9)

	2006 scheme (special members)
Club Transfers	<p>1. Special members who were not already a standard member: 12 months of election [Part 12(9)(4)]</p> <p>2. Special members who were previously standard members: Club memorandum restricts to 12 months compulsory transfers are not included</p>
Non Club – Occupational	No restriction [Part 12(9)]
Non Club – Non Occupational	<p>1. Special members who were not already a standard member: No restriction [Part 12(9)(4)]</p> <p>2. Special members who were previously standard members: Period of one year from active membership or such period as scheme manager may allow [Part 12 (9)(1cii)]</p>

2015 Scheme (Regulation 141)

	2015 Scheme
Club Transfers	Club memorandum restricts to 12 months of joining and compulsory transfers are not included
Non Club – Occupational	No restriction [141]
Non Club – Non Occupational	Period of one year from active membership or such period as scheme manager may allow [141(3)]

Transfers Out

- Restrictions to transfers from 6 April 2015 under [Chapter 4, section 68 of the Pensions Schemes Act 2015](#)
 - Unfunded pension schemes are restricted from allowing transfers to occupational or personal pension schemes that offer flexible benefits.
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Flexible benefit?

CHAPTER 5

INTERPRETATION OF PART 4

74 Meaning of “flexible benefit”

In this Part “flexible benefit”, in relation to a member of a pension scheme or a survivor of a member, means –

- (a) a money purchase benefit,
 - (b) a cash balance benefit, or
 - (c) a benefit, other than a money purchase benefit or cash balance benefit, calculated by reference to an amount available for the provision of benefits to or in respect of the member (whether the amount so available is calculated by reference to payments made by the member or any other person in respect of the member or any other factor).
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Factors



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Transfers Out

	FPS 1992	FPS 2006	Modified Scheme	FPS 2015
Club Transfers	Factors @ 30.01.2019 with guidance dated 27.07.2012 and addendum dated 19.09.12	Factors @ 30.01.2019 with guidance dated 30.12.2011 and addendum dated 19.09.12		Factors @ 30.01.2019 with guidance dated 10.12.2019
CETV	Factors @ 06.12.2018 with guidance dated 27.07.2012 and 30.06.2009	Factor tables A1, A2 & A3 @ 06.12.2018 with guidance dated 14.02.2012 and 30.04.2009	Factor tables B1 & B2 @ 06.12.2018 with the second addendum 17.06.2016, and guidance dated 14.02.2012 & 30.04.2009	Factors @ 06.12.2018 with guidance dated 02.06.2015

Transfers In

FPS 1992	FPS 2006 – Standard Members	FPS 2006 – Special Members	FPS 2015
Not applicable as not allowed	Standard Members GAD factors dated 10.06.2019 used in conjunction with GAD guidance dated 12 December 2012 and 30 April 2009	Special Members GAD factors dated 02.10.2019 used in conjunction with GAD guidance dated 12 December 2012 and 30 April 2009.	GAD factors dated 24.01.2019 used in conjunction with guidance note dated 2 nd June 2015

Transfer In Factors

Converted Transfers In

	FPS 2006 – Special Members
(Special members only)	Converting standard transfer ins to special transfer ins guidance dated 12 th February 2015.

Transfer In Factors

Disclaimer

- **The information contained in these slides are the authors interpretation of the current regulations.**
 - **Readers should take their own legal advice on the interpretation of any particular piece of legislation.**
 - **No responsibility whatsoever will be assumed by LGA for any direct or consequential loss, financial or otherwise, damage or inconvenience, or any other obligation or liability incurred by readers relying on information contained in these slides.**
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Thank you for listening

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