

MINOR AMENDMENTS TO THE FIREFIGHTER PENSIONS SCHEMES

The Consultation document refers to some key proposed amendments to the 1992 Scheme and the Compensation Scheme to allow surviving spouses and civil partners of qualifying firefighters to keep their benefits should they remarry or enter into a new civil partnership. Proposed amendments also include amendments to the transitional provisions made by the Firefighters' Pension Scheme (Amendment and Transitional Provisions)(Wales) Order 2016, provisions in the 2015 scheme relating to 1992 Scheme transition members' entitlement to commute part of any lower tier ill-health pension, and deal with the position of transition members who are being considered for ill-health retirement by an independent qualified medical practitioner at the time of their transition date.

Other minor amendments are set out in the proposed draft Orders at Annex 2 and 3. These are detailed below:-

SECTION 1

THE DRAFT FIREFIGHTER'S PENSION SCHEMES AND COMPENSATION SCHEME (WALES) (AMENDMENT) ORDER 2018

Proposed amendments to 1992 Pensions Scheme and the 2007 Pensions Scheme set out in the draft Order (Annex 2) at Articles 2(2), 2(4), 2(5) and 3.

- ***Amendments to provisions inserted into the 1992 Scheme by The Firefighters' Pension Scheme (Wales)(Transitional and Consequential Provisions) Regulations 2015 (SI 2015/1016 (W. 71))*** - The formula at Schedule 2, Part 2A in the 1992 Scheme for calculation of "continuous service provision" is being corrected so that the cap is set at 30 years' pensionable service. Other minor amendments are also made to rules B1A, B2A, B5D(1A) and G1 and G2 of Schedule 2 of the 1992 Scheme.
- ***Amendment to rule B5A para 4B inserted into the 1992 scheme by The Firefighters' Pension (Wales) Scheme (Amendment) Order 2014 (SI 2014/3242 (W. 329))*** – The formula for the calculation of pension where a person is entitled to an ill-health award or deferred pension and benefits from the entitlement to two pensions has been corrected.
- ***Amendment to Part 11, Rule 1 paras 7,8, and 9 and Rule 2 para 2A(b) inserted into Schedule 1 to the 2007 Pension Scheme by The Firefighters' Pension Scheme (Wales)(Transitional and Consequential Provisions) Regulations 2015 (SI 2015/1016 (W. 71))*** – minor amendments relating to paragraph numbers.

SECTION 2

THE DRAFT FIREFIGHTERS' PENSION SCHEME (WALES) (AMENDMENT) REGULATIONS 2018

Minor amendments of provisions in the 2015 Regulations contained in regulations 3, 5, 6, 7, 8(2) of the draft Regulations at Annex 3 include the following:

- Regulation 30 – the abbreviation for Welfare Reform and Pensions Act 1999
- Regulation 87 – survivor benefits (amendment being made because, throughout the scheme, three months' service is sufficient to achieve qualification for benefits)
- Regulation 101 – correction of wording to make it clear that the bereavement pension is for eligible children
- Regulations 120, 128, and 137 – very minor amendment to wording.
- Schedule 2 – Part 3A - para 25 (inserted by SI 2015/1016 (W 71 - Firefighters' Pension Scheme (Wales) (Transitional and Consequential Provisions) Regulations 2015 (*Regulation 2, Schedule 1, Para 7(d)*))- This references rule B1A(3)(i) twice. The correct reference is to B1A(3)(a).
- Schedule 2 - Part 3C – para 38 - Scheme manager determines member of the 1992 Scheme is not entitled to an ill-health award (inserted by SI 2015/1016) (Regulation 2, Schedule 1, Para 7(d)) - Within paragraph 38 there is a reference to rule H2A. The correct reference is to rule H2.
- Regulation 9 corrects a minor error in the Firefighters' Pension Scheme (Wales) (Transitional and Consequential Provisions) Regulations 2015.