

2022 No. (W.)

**PUBLIC SERVICE PENSIONS,
WALES**

**The Firefighters' Pension Scheme
(Wales) (Amendment) Regulations
2022**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision consequential on the [Public Service Pensions and Judicial Offices Bill] to transfer all members of the Firefighters' Pension (Wales) Scheme ("the 1992 Scheme") and the New Firefighters' Pension Scheme (Wales) ("the 2007 Scheme") to the Firefighters' Pension Scheme (Wales) 2015 ("the 2015 Scheme") from 1 April 2022.

These Regulations amend the Firefighters' Pension Scheme (Wales) Regulations 2015 which set out the 2015 Scheme.

Regulation 2(2)(a) provides that the definition of "closing date" in Schedule 2 (which is the last day of membership of the 1992 Scheme or 2007 Scheme) is 31 March 2022 for fully protected members.

Regulation 2(2)(b) amends the definition of "transition date" in Schedule 2 to stipulate that the first day of membership of the 2015 Scheme is 1 April 2022 for fully protected members.

Regulation 2(3) removes the power for scheme managers to set an end date for tapered protection after 31 March 2022, and stipulates that all periods of tapered protection are to end on or before this date.

Regulation 2(4) is consequential on regulation 2(2)(a) and provides that fully protected members of the 1992 Scheme or 2007 Scheme cease to be members of those schemes on 31 March 2022.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a

regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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**The Firefighters’ Pension Scheme
(Wales) (Amendment) Regulations
2022**

Made ***

Laid before Senedd Cymru ***

Coming into force 30 March 2022

The Welsh Ministers make these Regulations in exercise of the powers conferred by sections 1(1) and (2)(f), 2(1)(1) and 3(1) and (2)(c) of the Public Service Pensions Act 2013 (“the 2013 Act”)(2).

In accordance with section 21 of the 2013 Act(3), the Welsh Ministers have consulted such persons (or the representatives of such persons) as appear to the Welsh Ministers likely to be affected by these Regulations.

In accordance with section 3(5) of the 2013 Act, these Regulations are made with the consent of the Treasury.

Title and commencement

1.—(1) The title of these Regulations is the Firefighters’ Pension Scheme (Wales) (Amendment) Regulations 2022.

(2) These Regulations come into force on 30 March 2022.

(1) See also paragraph 6(b) of Schedule 2.
(2) 2013 c. 25. Section 3 was amended by section [79(2) to (6)] of the Public Service Pensions and Judicial Offices Act 2022 [c. xx].
(3) Section 21 was amended by section [79(7)] of the Public Service Pensions and Judicial Offices Act 2022.

Amendments to the Firefighters' Pension Scheme (Wales) Regulations 2015

2.—(1) Schedule 2 to the Firefighters' Pension Scheme (Wales) Regulations 2015⁽¹⁾ (transitional provisions) is amended as follows.

(2) In paragraph 1 (interpretation)—

(a) in the definition of “closing date”, in paragraph (c), for “member, or” to the end substitute—

“member,

(ii) if the member is a full protection member of the 1992 Scheme or the NFPS, 31 March 2022, or

(iii) if the member is not a protected member of one of those schemes, the scheme closing date.”

(b) in the definition of “transition date”, for “member, and” to the end substitute—

“member,

(b) if the member is a full protection member of the 1992 Scheme or the NFPS, 1 April 2022, and

(c) if the member is not a protected member of the 1992 Scheme or the NFPS, the day after the scheme closing date, or, if later, the day the person ceased to be a protected member of that scheme.”

(3) For sub-paragraph (3) of paragraph 3 (meaning of “tapered protection closing date”) substitute—

“(3) The tapered protection closing date for a tapered protection member of the NFPS to whom paragraph 9(5) or 21 applies is—

(a) 31 March 2022; or

(b) an earlier date determined by the scheme manager.”

(4) For sub-paragraph (2) of paragraph 9 (full protection members of the 1992 Scheme or the NFPS) substitute—

“(2) P ceases to be a full protection member of the 1992 Scheme or the NFPS, as the case may be—

(a) on 31 March 2022; or

(b) if earlier, when P ceases to be in pensionable service under that scheme and ceases to be eligible to be an active

(1) S.I. 2015/622 (W. 50), to which there are amendments not relevant to these Regulations.

member of the NFPS, unless subparagraph (3) or (4) applies.”

Name

[Deputy Minister for Social Partnership], under the authority of the [Minister for Social Justice], one of the Welsh Ministers

Date