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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1511 (W. 323)**

**PUBLIC SERVICE PENSIONS, WALES**

**The Firefighters' Pension Schemes and Compensation Scheme (Wales) (Amendment) Regulations 2020**

<i>Made</i>	- - - -	<i>10 December 2020</i>
<i>Laid before Senedd Cymru</i>		<i>14 December 2020</i>
<i>Coming into force</i>	- -	<i>23 February 2021</i>

The Welsh Ministers make these Regulations in exercise of the powers conferred by section 26(1), (2) and (5) of the Fire Services Act 1947(1); section 12 of the Superannuation Act 1972(2), as applied by section 16(3) of that Act(3); and section 34(1) to (4) of the Fire and Rescue Services Act 2004(4)(5), now vested in the Welsh Ministers.

The Welsh Ministers also make these Regulations in exercise of the powers conferred by sections 1(1) and (2)(f)(6), 2(1), 3(1) to (3) and 18(5)(a) and (6) of, and Schedules 2 (paragraph 6(b)) and 3 (paragraphs 1 to 4) to, the Public Service Pensions Act 2013(7).

Before making these Regulations, and in accordance with section 34(5) of the Fire and Rescue Services Act 2004, the Welsh Ministers consulted such persons as they considered appropriate.

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- (1) 1947 c. 41, repealed by section 52 of, and Schedule 2 to, the Fire and Rescue Services Act 2004 (c. 21). Subsections (1), (2) and (5) of section 26 continue to have effect, in relation to Wales, for the purposes of the scheme established under that section as the Firemen's Pension Scheme and set out in the Firemen's Pension Scheme Order 1992 (S.I. 1992/129), by virtue of article 3 of S.I. 2004/2918 (W. 257). The name of the scheme was changed to the Firefighters' Pension (Wales) Scheme by article 4 of that instrument. Section 26 of the Fire Services Act 1947 was amended by section 1 of the Fire Services Act 1951 (c. 27), section 42 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65), section 33 of, and Schedule 3 to, the Theft Act 1968 (c. 60), sections 16 and 29 of, and Schedule 8 to, the Superannuation Act 1972 (c. 11), sections 100 and 101 of, and Schedule 27 to, the Social Security Act 1973 (c. 38), section 1 of, and Schedule 1 to, the Social Security (Consequential Provisions) Act 1975 (c. 18), section 32(2) of the Magistrates' Courts Act 1980 (c. 43), section 1 of the Police and Firemen's Pensions Act 1997 (c. 52), section 256 of, and Schedule 25 to, the Civil Partnership Act 2004 (c. 33), and by S.I. 1976/551. In so far as the Firefighters' Pension Scheme is continued in force, in relation to Wales, by virtue of S.I. 2004/2918 (article 3(1)), section 26(1), (2) and (5) have effect as if for each reference to the "Secretary of State" there were substituted a reference to the "National Assembly for Wales"; see article 2 of S.I. 2006/1672 (W. 160). By virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32), functions under section 26 of the Fire Services Act 1947 are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales.
- (2) 1972 c. 11; section 12 was amended by the Pensions (Miscellaneous Provisions) Act 1990 (c. 7).
- (3) Section 16 was repealed by section 52 of, and Schedule 2 to, the Fire and Rescue Services Act 2004 but continues to have effect, in relation to Wales, by virtue of article 3(2) of S.I. 2004/2918 (W. 257).
- (4) 2004 c. 21. The powers conferred by section 34(1) to (4) of the Fire and Rescue Services Act 2004 are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales. They were previously vested in the National Assembly for Wales by virtue of section 62 of that Act. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006, they were transferred to the Welsh Ministers.
- (5) The power to make an order under section 34(4) of the Fire and Rescue Services Act 2004 may be exercised to make regulations by virtue of section 39 of the Legislation (Wales) Act 2019 (anaw 4).
- (6) See also section 1(3) and Schedule 1.
- (7) 2013 c. 25.

In accordance with section 21(1) of the Public Service Pensions Act 2013, the Welsh Ministers have consulted the representatives of such persons as appear to the Welsh Ministers likely to be affected by these Regulations.

## PART 1

### General

#### Title, commencement and application

1.—(1) The title of these Regulations is the Firefighters’ Pension Schemes and Compensation Scheme (Wales) (Amendment) Regulations 2020.

(2) These Regulations come into force on 23 February 2021.

(3) The provisions in—

- (a) regulations 4(1), 4(2), 4(4) and 11 have effect from 5 December 2005;
- (b) regulation 12 has effect from 1 April 2006;
- (c) regulation 7 has effect from 6 April 2006;
- (d) regulation 3 has effect from 1 April 2007;
- (e) regulations 5 and 8 have effect from 1 December 2009;
- (f) regulation 4(3) has effect from 13 March 2014;
- (g) regulation 14 has effect from 1 April 2015<sup>(8)</sup>.

(4) These Regulations apply in relation to Wales.

## PART 2

### Firemen’s Pension Scheme Order 1992

#### Amendments to the Firemen’s Pension Scheme Order 1992

2. Schedule 2 to the Firemen’s Pension Scheme Order 1992<sup>(9)</sup> (in which is set out the Firefighters’ Pension (Wales) Scheme<sup>(10)</sup> (“the 1992 Scheme”)) is amended as set out in regulations 3 to 5.

#### Increases to split pensions: the 1992 Scheme

3. In Part B (personal awards), in rule B5A (entitlement to two pensions)<sup>(11)</sup>—

- (a) in paragraph (2), for “exceeds” substitute “is lower than”;

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<sup>(8)</sup> Power to give retrospective effect is conferred by section 12 of the Superannuation Act 1972, section 34(3) of the Fire and Rescue Services Act 2004 and by section 3(3)(b) of the Public Service Pensions Act 2013.

<sup>(9)</sup> S.I. 1992/129; amended by S.I.s 1997/2309 and 2851, 1998/1010, 2001/3649 and 3691, 2004/1912 and 2918 (W. 257), 2006/1672 (W. 160), 2007/1074 (W. 112), 2009/1226 (W. 109), 2010/234, 2013/736 (W. 88), 2014/522 (W. 63) and 3242 (W. 329), 2014/560, 2015/1016 (W. 71) and 2018/577 (W. 104).

<sup>(10)</sup> S.I. 2004/2918, article 4(2) renamed the 1992 Scheme.

<sup>(11)</sup> Rule B5A was inserted by article 2 of, and paragraph 1 of the Schedule to, S.I. 2009/1226 (W. 109) and was amended by S.I. 2014/3242 (W. 329), 2015/1016 (W. 71) and S.I. 2018/577 (W. 104).

(b) after paragraph (3) insert—

“(3A) The amount of the first pension determined under paragraph (3) or (4B)(a), is increased for each year before the firefighter’s last day of service by an amount equivalent to that which would apply if the first pension were a pension in payment commencing from the day after the date of the firefighter’s last day of service at the higher rate of pay, to which the Pensions (Increase) Act 1971(12) applied.”;

(c) in paragraph (6), after “B1,” insert “B1A,”;

(d) in paragraph (9), for “paragraph (3)” substitute “paragraph (4)”.

### **Survivor benefits for civil partners and same sex spouses: the 1992 Scheme**

4.—(1) In Part C (awards on death – spouses)—

(a) in rule C1 (spouse’s ordinary pension)—

(i) in paragraph (2)(13), after “spouse” insert “or surviving civil partner”;

(ii) omit paragraph (2A)(14);

(b) in rule C4 (spouse’s accrued pension), in paragraph (3)(15)—

(i) in sub-paragraph (a), after “spouse” insert “or surviving civil partner”;

(ii) omit sub-paragraph (b) and the “and” preceding it;

(c) in rule C5 (limitation on award to spouse or civil partner by reference to date of marriage or formation of partnership)(16)—

(i) in paragraph (2), after “spouse” insert “or surviving civil partner”;

(ii) omit paragraph (3);

(d) in rule C6 (spouse or civil partner’s requisite benefit and temporary pension), in paragraph (4)(17)—

(i) in sub-paragraph (a), omit “in the case of a surviving spouse,”;

(ii) omit sub-paragraph (b) and the “and” preceding it;

(e) in rule C8 (limitation where spouses living apart), in paragraph (2)(18)—

(i) in sub-paragraph (a), omit “in the case of a surviving spouse,”;

(ii) omit sub-paragraph (b) and the “and” preceding it.

(2) In Part J (special cases), in rule J1 (guaranteed minimum pensions)(19)—

(a) in paragraph (2)—

(i) for sub-paragraph (b) substitute—

“(b) in the case of a person who dies at any time and leaves a widow, a surviving same sex spouse or surviving civil partner, that person is entitled to a pension of a weekly rate equal to half the deceased person’s guaranteed minimum, and”;

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(12) 1971 c. 56.

(13) Paragraph (2) of rule C1 was substituted by article 2 of, and paragraph 3(a) of Schedule 1 to, S.I. 2014/3242 (W. 329).

(14) Paragraph (2A) of rule C1 was inserted by article 2 of, and paragraph 3 of Schedule 2 to, S.I. 2006/1672 (W. 160).

(15) Paragraph (3) of rule C4 was substituted by article 2 of, and paragraph 6 of Schedule 2 to, S.I. 2006/1672 (W. 160).

(16) Rule C5 was substituted by article 2 of, and paragraph 7 of Schedule 2 to, S.I. 2006/1672 (W. 160); paragraphs (2) and (3) were amended by article 2 of, and paragraph 17 of Schedule 1 to, S.I. 2007/1074 (W. 112).

(17) Rule C6 was substituted by article 2 of, and paragraph 18 of Schedule 1 to, S.I. 2007/1074 (W. 112).

(18) Paragraph (2) of rule C8 was substituted by article 2 of, and paragraph 10 of Schedule 2 to, S.I. 2006/1672 (W. 160); and amended by article 2 of, and paragraph 20 of Schedule 1 to, S.I. 2007/1074 (W. 112).

(19) Paragraph 2(d) of rule J1 was substituted by article 2 of, and paragraph 11 of Schedule 1 to, S.I. 2014/3242 (W. 329); paragraph (4) was amended by article 2 of, and paragraph 21 of Schedule 2 to, S.I. 2006/1672 (W. 160).

- (ii) omit sub-paragraph (d) and the “and” preceding it;
  - (b) in paragraph (4), for “, (c) or (d)” substitute “or (c)”.
- (3) In Schedule 1 (interpretation) to the 1992 Scheme, omit paragraphs 1 and 2 of Part 3 (provision relating to same sex couples)(**20**).
- (4) In Schedule 3 (awards on death – spouses) to the 1992 Scheme—
- (a) in Part 3 (spouse’s accrued pension)—
    - (i) in paragraph 2(1), after “spouse’s” insert “, or surviving civil partner’s”;
    - (ii) in paragraph 3(1), after “spouse” insert “or surviving civil partner”;
  - (b) in Part 4 (pension for surviving spouse of post-retirement marriage), in paragraphs 1(1)(**21**) and 2(1), after “surviving spouse” insert “or surviving civil partner”.

### **Commutation of small pension credits: the 1992 Scheme**

5. In Part IA (pension credit members), in rule IA2(1)(**22**) (commutation of the pension credit benefits), for “In the circumstances described in regulation 3(2)(b) of the Pension Sharing (Pension Credit Benefit) Regulations 2000 (commutation of pension credit benefit: small pensions)” substitute “Where the amount of pension payable under rule IA1 does not exceed the trivial commutation lump sum limit in paragraph 7 of Schedule 29 to the Finance Act 2004 (lump sum rule)(**23**)”.

## **PART 3**

### **Firefighters’ Pension Scheme (Wales) Order 2007**

#### **Amendments to the Firefighters’ Pension Scheme (Wales) Order 2007**

6. Schedule 1 to the Firefighters’ Pension Scheme (Wales) Order 2007(**24**) (in which is set out the New Firefighters’ Pension Scheme (Wales) (“the 2007 Scheme”)) is amended as set out in regulations 7 to 9.

#### **Increases to split pensions: the 2007 Scheme**

7. In Part 3 (personal awards), in rule 7 (entitlement to two pensions)(**25**)—
- (a) in paragraph (2) for “paragraphs (3) and (4)” substitute “paragraphs (3), (3A) and (4)”;
  - (b) after paragraph (3) insert—
    - “(3A) The amount of the first pension determined under paragraph (3), is increased for each year before the firefighter’s last day of service by an amount equivalent to that which would apply if the first pension were a pension in payment commencing from the date that paragraph (1) first applied to the member, to which the Pensions (Increase) Act 1971 applied.”

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(20) Part 3 of Schedule 1 to the 1992 Scheme was inserted by article 4 of, and paragraph 17 of Part 2 of Schedule 3 to, S.I. 2014/560; there is an amendment to paragraph 1 not relevant to this instrument.

(21) Part 4 was substituted by article 2 of, and paragraph 83(b) of Schedule 1 to, S.I. 2006/1672 (W. 160); paragraph 1(1) was amended and paragraph 1(2) was substituted by article 2 of, and paragraph 63(c) of Schedule 1 to, S.I. 2007/1074 (W. 112).

(22) Rule IA2(1) was amended by article 2 of, and paragraph 10(b) of Schedule 1 to, S.I. 2014/3242 (W. 329).

(23) 2004 c. 12; there are amendments to Part 1 of Schedule 29 which is not relevant.

(24) S.I. 2007/1072 (W. 110); amended by S.I.s 2009/1225 (W. 108), 2010/234, 2012/972 (W. 127), 2013/735 (W. 87), 2013/1577 (W. 145), 2014/560, 2014/3254 (W. 330), 2015/1013 (W. 69), 2015/1016 (W. 71) and 2018/577 (W. 104).

(25) Rule 7, in Part 3, was amended by S.I. 2014/3254 (W. 330) and 2015/1016 (W. 71).

### Commutation of small pension credits: the 2007 Scheme

8. In Part 6 (pension sharing on divorce), in rule 2 (commutation of whole of pension credit benefits), in paragraph (1), for “In the circumstances described in regulation 3(2)(b) of the Pension Sharing (Pension Credit Benefit) Regulations 2000 (commutation of pension credit benefit: small pensions)” substitute “Where the amount of pension payable under this Part does not exceed the trivial commutation lump sum limit in paragraph 7 of Schedule 29 to the Finance Act 2004 (lump sum rule)(26)”.

### Commuted portion: special members: the 2007 Scheme

9. In Annex ZA, for the Table substitute—

“Years	Age in years and completed months on day pension commences											
	0	1	2	3	4	5	6	7	8	9	10	11
<b>Below 50</b>	23.4											
<b>50</b>	22.4	22.3	22.3	22.3	22.3	22.2	22.2	22.2	22.2	22.1	22.1	22.1
<b>51</b>	22.1	22.0	22.0	22.0	22.0	21.9	21.9	21.9	21.9	21.8	21.8	21.8
<b>52</b>	21.8	21.7	21.7	21.7	21.7	21.6	21.6	21.6	21.6	21.5	21.5	21.5
<b>53</b>	21.5	21.4	21.4	21.4	21.3	21.3	21.3	21.3	21.2	21.2	21.2	21.1
<b>54</b>	21.1	21.1	21.1	21.0	21.0	21.0	21.0	20.9	20.9	20.9	20.9	20.8
<b>55</b>	20.8	20.8	20.8	20.7	20.7	20.7	20.6	20.6	20.6	20.5	20.5	20.5
<b>56</b>	20.4	20.4	20.4	20.4	20.3	20.3	20.3	20.2	20.2	20.2	20.1	20.1
<b>57</b>	20.1	20.0	20.0	20.0	19.9	19.9	19.9	19.8	19.8	19.8	19.7	19.7
<b>58</b>	19.7	19.6	19.6	19.6	19.5	19.5	19.5	19.4	19.4	19.4	19.3	19.3
<b>59</b>	19.3	19.2	19.2	19.2	19.1	19.1	19.1	19.0	19.0	19.0	18.9	18.9
<b>60</b>	18.9	18.8	18.8	18.7	18.7	18.7	18.6	18.6	18.6	18.5	18.5	18.5
<b>61</b>	18.4	18.4	18.4	18.3	18.3	18.2	18.2	18.2	18.1	18.1	18.1	18.0
<b>62</b>	18.0	18.0	17.9	17.9	17.8	17.8	17.8	17.7	17.7	17.7	17.6	17.6
<b>63</b>	17.5	17.5	17.5	17.4	17.4	17.4	17.3	17.3	17.2	17.2	17.2	17.1
<b>64</b>	17.1	17.1	17.0	17.0	16.9	16.9	16.9	16.8	16.8	16.8	16.7	16.7
<b>65</b>	16.6	16.6	16.6	16.5	16.5	16.5	16.4	16.4	16.3	16.3	16.3	16.2
<b>66</b>	16.2	16.2	16.1	16.1	16.0	16.0	16.0	15.9	15.9	15.9	15.8	15.8
<b>67</b>	15.7	15.7	15.7	15.6	15.6	15.6	15.5	15.5	15.4	15.4	15.4	15.3
<b>68</b>	15.3	15.2	15.2	15.2	15.1	15.1	15.1	15.0	15.0	14.9	14.9	14.9
<b>69</b>	14.8	14.8	14.7	14.7	14.7	14.6	14.6	14.5	14.5	14.5	14.4	14.4
<b>70</b>	14.3	14.3	14.3	14.2	14.2	14.1	14.1	14.0	14.0	14.0	13.9	13.9

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(26) 2004 c. 12; there are amendments to Part 1 of Schedule 29 not relevant to these Regulations.

"Years	Age in years and completed months on day pension commences											
	0	1	2	3	4	5	6	7	8	9	10	11
71	13.8	13.8	13.8	13.7	13.7	13.6	13.6	13.5	13.5	13.5	13.4	13.4
72	13.3	13.3	13.2	13.2	13.2	13.1	13.1	13.0	13.0	12.9	12.9	12.8
73	12.8	12.8	12.7	12.7	12.6	12.6	12.5	12.5	12.4	12.4	12.3	12.3
74	12.3	12.2	12.2	12.1	12.1	12.0	12.0	11.9	11.9	11.8	11.8	11.7
75	11.7"											

## PART 4

### Firefighters' Compensation Scheme (Wales) Order 2007

#### Amendments to the Firefighters' Compensation Scheme (Wales) Order 2007

10. Schedule 1 to the Firefighters' Compensation Scheme (Wales) Order 2007(27) (in which is set out the Firefighters' Compensation Scheme (Wales) 2007 ("the 2007 Compensation Scheme")) is amended as set out in regulations 11 and 12.

#### Survivor benefits for civil partners and same sex spouses: the 2007 Compensation Scheme

11. In Part 3 (awards on death: spouses and civil partners)—
- (a) in rule 1 (special award for spouse or civil partner), in paragraph (3)(28)—
    - (i) in sub-paragraph (a), after "spouse" insert "or surviving civil partner";
    - (ii) omit sub-paragraph (b);
  - (b) in rule 3 (limitation on award to spouse or civil partner by reference to date of marriage or formation of partnership)—
    - (i) in paragraph (2), after "spouse" insert "or surviving civil partner";
    - (ii) omit paragraph (3);
  - (c) in rule 4 (limitation where spouse or civil partner is living apart), in paragraph (2)(29)—
    - (i) in sub-paragraph (a), after "spouse" insert "or surviving civil partner";
    - (ii) omit sub-paragraph (b) and the "and" preceding it.

#### Awards on death: children: the 2007 Compensation Scheme

12. In Part 4 (awards on death: children), in rule 3 (child's special allowance or gratuity: limitations)—
- (a) in the heading, omit "or gratuity";
  - (b) omit paragraph (1);
  - (c) in paragraph (5)(a), for "(b) or (c)" substitute "(2)(b) or (c)".

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(27) S.I. 2007/1073 (W. 111); amended by S.I.s 2010/234, 2014/3256 (W. 331), S.I. 2007/1073 (W. 111); amended by S.I.s 2010/234, 2014/3256 (W. 331), 2015/1013 (W. 69) and 2018/577 (W. 104). 2015/1013 (W. 69) and 2018/577 (W. 104).

(28) Paragraph (3) of rule 1 was amended by article 2 of, and paragraph 3(2) of Schedule 1 to, S.I. 2014/3256 (W. 331), article 2 of, and paragraph 3(2)(a)(i) and (ii) of Schedule 1 to, S.I. 2015/1013 (W. 69).

(29) Paragraph 2 of rule 4 was amended by article 2 of, and paragraph 3(3) of Schedule 1 to, S.I. 2015/1013 (W. 69).

## PART 5

### Firefighters' Pension Scheme (Wales) Regulations 2015

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

**13.** The Firefighters' Pension Scheme (Wales) Regulations 2015, which establishes the Firefighters' Pension Scheme (Wales) 2015(30) ("the 2015 Scheme"), are amended in accordance with regulation 14.

#### **Club transfer value payments: the 2015 Scheme**

**14.** In Schedule 2 (transitional provisions), in paragraph 45 (acceptance of club transfer value payments), after "relates to a member's final salary benefit" insert ", apart from a payment from the 1992 Scheme as that scheme has effect in England, Scotland and Northern Ireland,".

10 December 2020

*Hannah Blythyn*  
Deputy Minister for Housing and Local  
Government, one of the Welsh Ministers

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend—

- (a) the Firemen’s Pension Scheme Order 1992 which sets out, in Schedule 2, the Firefighters’ Pension (Wales) Scheme (“the 1992 Order”),
- (b) the Firefighters’ Pension Scheme (Wales) Order 2007 which sets out, in Schedule 1, the New Firefighters’ Pension Scheme (Wales) (“the 2007 Order”),
- (c) the Firefighters’ Compensation Scheme (Wales) Order 2007 which sets out, in Schedule 1, the Firefighters’ Compensation Scheme (Wales) 2007 (“the 2007 Compensation Order”), and
- (d) the Firefighters’ Pension Scheme (Wales) Regulations 2015 which set out the Firefighters’ Pension Scheme (Wales) 2015 (“the 2015 Regulations”).

Certain of the regulations have retrospective effect – these are set out in regulation 1(3). The following provisions in the enabling legislation permit regulations made under those provisions to have retrospective effect—

- (a) section 12 of the Superannuation Act 1972, as applied by section 16(3) of that Act in relation to orders made under section 26 of the Fire Services Act 1947,
- (b) section 34(3) of the Fire and Rescue Services Act 2004, and
- (c) section 3(3)(b) of the Public Service Pensions Act 2013.

Regulations 3 to 5 make amendments to the 1992 Order. The amendments made by regulation 3(a), (c) and (d), ensure that a firefighter is not disadvantaged by the provision which allows for two pensions to be awarded, calculated separately, after a significant reduction in pay, and also make other minor updates. Regulation 3(b) clarifies that where a firefighter has an entitlement to two pensions under the 1992 Order, the amount of the first pension is uprated annually from the date that the firefighter ceased to earn the higher rate of pay.

The effect of the amendments in regulation 4 is to bring the benefits payable to survivors of civil partnerships and same sex marriages into line with the benefits payable to survivors of opposite-sex marriages.

Regulation 5 updates an out of date statutory reference in the 1992 Order.

Regulations 7 to 9 make amendments to the 2007 Order. Regulation 7 clarifies that where a firefighter has an entitlement to two pensions under the 2007 Scheme, the amount of the first pension is uprated annually from the date that the firefighter ceased to earn the higher rate of pay.

Regulation 8 updates an out of date statutory reference in the 2007 Order.

Regulation 9 substitutes the table of commutation factors for special members set out in Annex ZA to the 2007 Order to include factors beyond age 65, up to age 75. The commutation factors as on 31 March 2014 (up to age 65) have been replicated in the substituted table and have not changed.

Regulations 11 and 12 make amendments to the 2007 Compensation Order.

The effect of the amendments in regulation 11 is to bring the benefits payable to survivors of civil partnerships and same sex marriages into line with the benefits payable to survivors of opposite-sex marriages.



Regulation 12 amends rule 3 (child's special allowance: limitations) in Part 4 of the 2007 Compensation Order by removing some of the limitations applied to dependent, step and adopted children, as well as to children of unmarried parents. It also amends the heading of rule 3 and clarifies a cross reference in rule 3(5)(a).

Regulation 14 makes an amendment to the 2015 Regulations to clarify that protected members of the Scheme constituted by the 1992 Order transferring to Wales from England, Scotland and Northern Ireland continue to be entitled to remain as members of that Scheme.

The amendments made by—

- (a) regulations 4(1), 4(2), 4(4) and 11 have effect from 5 December 2005;
- (b) regulation 12 has effect from 1 April 2006;
- (c) regulation 7 has effect from 6 April 2006;
- (d) regulation 3 has effect from 1 April 2007;
- (e) regulations 5 and 8 have effect from 1 December 2009;
- (f) regulation 4(3) has effect from 13 March 2014;
- (g) regulation 14 has effect from 1 April 2015;
- (h) regulation 9 has effect from 23 February 2021.

The Welsh Ministers' Regulatory Impact Assessment Code for Subordinate Legislation has been 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.