

SCHEDULE

AMENDMENT OF THE FIREFIGHTERS' PENSION (WALES) SCHEME

9. In Part I (servicemen)—

- (a) in this Part, in each place where it occurs, for “serviceman” or “servicemen” substitute “reservist” or “reservists”, as the case may be;
- (b) in rule I1 (preliminary), in paragraph (1), for “the armed forces” substitute “the reserve forces”;
- (c) for rule I2 (awards to servicemen), substitute—

“Awards on permanent disablement

I2. A reservist who, at the end of his or her forces period, is permanently disabled for performing the duties of a firefighter by reason of an infirmity that—

- (a) is unrelated to any injury received during his or her forces period; and
- (b) is not a qualifying injury,

is entitled to an award under rule B3 (ill health awards).”;

(d) in rule I3 (awards on death of servicemen)—

- (i) in paragraph (2), for “paragraphs (3) and” substitute “paragraph”; and
- (ii) omit paragraph (3);

(e) in rule I5 (servicemen who do not resume service in their former brigade)—

- (i) in paragraph (1), omit “Subject to paragraph (3),”; and
- (ii) omit paragraph (3);

(f) in rule I7 (pension contributions), for paragraph (2) substitute—

“(2) A reservist is for those purposes to be treated as having received no pensionable pay (and accordingly is not liable to pay contributions) in respect of any period during which the reservist’s service pay is less than the pensionable pay described in paragraph (1).”; and

(g) after rule I7, insert—

“I8 Interpretation of Part

In this Part—

“the 1996 Act” means the Reserve Forces Act 1996(1);

“qualifying injury” means an injury, received by a person in the performance of the person’s duties as a firefighter, which is not wholly or mainly due to the person’s own culpable negligence or misconduct;

“relevant service in the reserve forces” means service in the forces specified in section 1(2) of the 1996 Act—

- (a) in pursuance of a training obligation under Part 3 of that Act, or
- (b) by virtue of a call out for permanent service or a recall under Part 2 of the Reserve Forces Act 1980(2) or Part 6 or Part 7 of the 1996 Act; and

(1) 1996 c. 14.

(2) 1980 c. 9, prospectively repealed by the 1996 Act as from a date to be appointed.

Status: *This is the original version (as it was originally made).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

“reservist” means a person who, immediately before a forces period, was a firefighter.”