
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Schedule 1 to the Firefighters' Compensation Scheme (Wales) Order 2007 (S.I. 2007/1073 (W. 111)) in which is set out the compensation scheme for firefighters and dependants of firefighters in Wales ("the Compensation Scheme").

Article 3 of the Order contains transitional provisions in relation to the amendments made by article 2 of, and paragraphs 6 and 7 of the Schedule to, this Order – they provide for the Compensation Scheme in its unamended form to continue to apply in certain circumstances.

The amendments made to rule 2 (award for or in relation to a retained or volunteer firefighter) of Part 8 (special cases) remove the right of a retained firefighter who was employed as a retained firefighter before 6 April 2006 to an injury award calculated as though he or she were a wholetime firefighter from 1 April 2014. These changes are consequential on changes to pension arrangements for retained firefighters made by the Firefighters' Pension Scheme (Wales) (Amendment) Order 2014 (S.I. 2014/3254 (W. 330)).

The amendments to rule 6 (reckoning of service for purpose of awards) and rule 7 (qualifying injury) of Part 1 (general provisions) and those to rule 4 of Part 10 are consequential on the amendments to rule 2.

The various amendments which substitute "regular or retained firefighter" for a reference to "regular firefighter" correct the general terms of the Compensation Scheme which were intended to apply to retained firefighters who took up employment as a retained firefighter after 5 April 2006. The effect of the amendments made to rule 2 of Part 8 by this Order is that the general provisions of the Compensation Scheme apply to all retained firefighters who do not fall within the transitional provisions.

The amendments to Part 1 (special pension) of Schedule 2 (awards for spouses and civil partners), Part 1 (child's special allowance) of Schedule 3 (awards on death: children) and Part 1 (adult dependent relative's special pension) of Schedule 4 (awards on death: additional provisions) insert a formula to calculate an award in respect of retained firefighters.

The Welsh Ministers' Regulatory Impact Assessment Code for Subordinate Legislation has been considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of this Order.

A copy of this assessment can be obtained from the Local Government Community Safety Division, Welsh Government, Rhydycar Business Park, Merthyr Tydfil, CF48 1UZ (telephone 03000628219).