
WELSH STATUTORY INSTRUMENTS

2015 No. 622

The Firefighters' Pension Scheme (Wales) Regulations 2015

PART 1

Preliminary

Title and commencement

1.—(1) The title of these Regulations is the Firefighters' Pension Scheme (Wales) Regulations 2015.

(2) These Regulations come into force on 1 April 2015.

Establishment of Firefighters' Pension Scheme (Wales) 2015

2.—(1) These Regulations establish a scheme for the payment of pensions and other benefits to or in respect of fire and rescue workers⁽¹⁾ who are firefighters in Wales.

(2) This scheme is to be known as the Firefighters' Pension Scheme (Wales) 2015.

Interpretation

3. In these Regulations, unless the context otherwise requires—

“1992 Scheme” (“*Cynllun 1992*”) means the Firefighters' Pension Scheme 1992 as set out in Schedule 2 to the Firemen's Pension Scheme Order 1992⁽²⁾ as it has effect in Wales;

“2013 Act” (“*Deddf 2013*”) means the Public Service Pensions Act 2013;

“FA 2004” (“*DC 2004*”) means the Finance Act 2004⁽³⁾;

“NFPS” (“*CPNDT*”) means the New Firefighters' Pension Scheme (Wales) as set out in Schedule 1 to the Firefighters' Pension Scheme (Wales) Order 2007⁽⁴⁾;

“PIA 1971” (“*DPC 1971*”) means the Pensions (Increase) Act 1971⁽⁵⁾;

“PSA 1993” (“*DCauP 1993*”) means the Pension Schemes Act 1993⁽⁶⁾;

“WRPA 1999” (“*DDLlPh 1999*”) means the Welfare Reform and Pensions Act 1999⁽⁷⁾;

“accrued added pension” (“*pensiwn ychwanegol cronedig*”) has the meaning given in regulation 32(4) (calculation of amount of accrued pension for purpose of deferment or retirement);

(1) See paragraph 6 of Schedule 1 to the Public Service Pensions Act 2013 for the definition of “fire and rescue workers”.
(2) [S.I. 1992/129](#). The name of the scheme was changed to the Firefighters' Pension (Wales) Scheme by [S.I. 2004/2918 \(W. 257\)](#). Other amendments made are not relevant to these Regulations.
(3) [2004 c. 12](#).
(4) [S.I. 2007/1072 \(W. 110\)](#); Schedule 1 is the subject of amendments not relevant to these Regulations.
(5) [1971 c. 56](#).
(6) [1993 c. 48](#).
(7) [1999 c. 30](#).

“accrued earned pension” (“*pensiwn enilledig cronedig*”) has the meaning given in regulation 32(3) (calculation of amount of accrued pension for purpose of deferment or retirement);

“active member” (“*aelod actif*”) has the meaning given in regulation 28 (active membership);

“active member’s account” (“*cyfrif aelod actif*”) means the account established under regulation 40 (establishment of active member’s account);

“actuarial guidance” (“*canllawiau actiwaraid*”) means actuarial guidance issued by the Welsh Ministers after consultation with the scheme actuary;

“added pension election” (“*dewisiad pensiwn ychwanegol*”) means the election to make added pension payments;

“added pension payments” (“*taliadau pensiwn ychwanegol*”) means periodical payments or a lump sum payment for added pension made to this scheme;

“additional adoption leave” (“*absenoldeb mabwysiadu ychwanegol*”) means leave under section 75B of the Employment Rights Act 1996⁽⁸⁾;

“additional maternity leave” (“*absenoldeb mamolaeth ychwanegol*”) means leave under section 73 of the Employment Rights Act 1996⁽⁹⁾;

“additional paternity leave” (“*absenoldeb tadolaeth ychwanegol*”) means leave under the Additional Paternity Leave Regulations 2010⁽¹⁰⁾;

“age addition” (“*ychwanegiad oedran*”) has the meaning given in regulation 35 (determination of “the age addition”);

“allocation amount” (“*swm y dyraniad*”) means the amount of the pension allocated as a result of making an allocation election;

“allocation election” (“*dewisiad i ddyrannu*”) means an election under regulation 81 (allocation election);

“amount of accrued added pension” (“*swm y pensiwn ychwanegol cronedig*”) has the meaning given in regulation 32(4) (calculation of amount of accrued pension for purpose of deferment or retirement);

“amount of accrued earned pension” (“*swm y pensiwn enilledig cronedig*”) has the meaning given in regulation 32(3) (calculation of amount of accrued pension for purpose of deferment or retirement);

“amount of added pension” (“*swm y pensiwn ychwanegol*”) means the amounts credited to the added pension account under paragraphs 11 or 14 of Schedule 1;

“annual allowance” (“*lwfans blynyddol*”) has the meaning given in section 228 (annual allowance) of FA 2004⁽¹¹⁾;

“annual allowance charge” (“*tâl lwfans blynyddol*”) has the meaning given in section 227 (annual allowance charge) of FA 2004⁽¹²⁾;

“assumed age addition” (“*ychwanegiad oedran tybiedig*”) has the meaning given in regulation 36 (determination of “the assumed age addition”);

“assumed pensionable pay” (“*tâl pensynadwy tybiedig*”) has the meaning given in regulation 27 (meaning of “assumed pensionable pay”);

⁽⁸⁾ 1996 c. 18; section 75B was inserted by the Employment Act 2002 (c. 22), section 3.

⁽⁹⁾ Section 73 was substituted by the Employment Relations Act 1999 (c. 26), section 7 and Schedule 4.

⁽¹⁰⁾ S.I. 2010/1055.

⁽¹¹⁾ Section 228 was substituted by the Finance Act 2011 (c. 11), Schedule 17, paragraphs 1 and 4 and was amended by the Finance Act 2013 (c. 29), section 49.

⁽¹²⁾ Section 227 was amended by Finance Act 2011, sections 65 and 66, Schedule 16, paragraph 45 and Schedule 17, paragraphs 1 and 3.

“authority” (“*awdurdod*”) means a fire and rescue authority for an area in Wales determined in accordance with section 1 of the Fire and Rescue Services Act 2004(13);

“award” (“*dyfarniad*”) means an award of a benefit under these Regulations;

“beginning date” (“*dyddiad cychwyn*”), in relation to a pension not attributable (directly or indirectly) to a pension credit, means the date on which the pension is deemed to begin for the purpose of section 8(2) (meaning of “pension” and other supplementary provisions) of PIA 1971(14);

“child-related leave” (“*absenoldeb cysylltiedig â phlentyn*”) means—

- (a) ordinary adoption leave,
- (b) ordinary maternity leave,
- (c) additional maternity or adoption leave,
- (d) paternity leave,
- (e) additional paternity leave, or
- (f) a period of parental leave;

“closing date” (“*dyddiad cau*”), in relation to a transition member, has the meaning given in paragraph 1 of Schedule 2 (transitional provisions);

“club scheme” (“*cynllun clwb*”) means a registered occupational pension scheme (other than a connected scheme) that has agreed to make and receive club transfer value payments under the club transfer arrangements;

“club transfer” (“*trosglwyddiad clwb*”) means a transfer to or from this scheme under the club transfer arrangements;

“club transfer arrangements” (“*trefniadau trosglwyddiadau clwb*”) means arrangements approved by the Welsh Ministers as providing reciprocal arrangements between this scheme and other registered occupational pension schemes for making and receiving club transfer value payments;

“club transfer earned pension” (“*pensiwn enilledig trosglwyddiad clwb*”) means pension attributable to the receipt of a club transfer value payment;

“club transfer value” (“*gwerth trosglwyddiad clwb*”) has the meaning given in regulation 141 (interpretation in relation to Part 10);

“club transfer value payment” (“*taliad gwerth trosglwyddiad clwb*”) means payment of a club transfer value;

“cohabiting partner” (“*partner sy ’n cyd-fyw*”) has the meaning given in regulation 85 (meaning of “surviving partner”);

“the commutation amount” (“*swm y cymudiad*”), in relation to a pension, means the amount of the pension exchanged for a lump sum as a result of the exercise of the commutation option;

“commutation option” (“*opsiwn cymudo*”) means the option to exchange part of a pension for a lump sum—

- (a) exercisable under regulation 80 (option to commute part of pension) in relation to a retirement pension, or
- (b) exercisable under regulation 118 (commutation of part of pension) in relation to a pension credit member’s pension;

(13) 2004 c. 21.

(14) Section 8(2) was amended by the Pensions (Miscellaneous Provisions) Act 1990 (c. 7), section 1(5) and the WRPA 1999 (c. 30), section 39(1) and (4). Section 8(2) of PIA 1971 may be applied subject to such modifications, adaptations and exceptions as may be specified in regulations under section 5(3) of that Act.

“connected scheme” (“*cynllun cysylltiedig*”) means another statutory pension scheme that is connected, within the meaning of section 4(6) of the 2013 Act, with this scheme;

“continuity of service” (“*parhad gwasanaeth*”), in relation to a transition member, has the meaning given in paragraph 2 of Schedule 2;

“continuous period of pensionable service” (“*cyfnod di-dor o wasanaeth pensiynadwy*”), in relation to this scheme, means a period of pensionable service under this scheme disregarding any gap in pensionable service not exceeding five years unless otherwise provided;

“death benefits” (“*buddion marwolaeth*”) means any of the following—

- (a) a surviving partner’s pension,
- (b) an eligible child’s pension, or
- (c) a lump sum death benefit;

“deferred member” (“*aelod gohiriedig*”) has the meaning given in regulation 29 (deferred membership);

“deferred member’s account” (“*cyfrif aelod gohiriedig*”) has the meaning given in regulation 53 (establishment of deferred member’s account);

“deferred pension age” (“*oedran pensiwn gohiriedig*”) is the same as a person’s state pension age, or 65 if that is higher;

“early payment reduction” (“*gostyngiad talu’n gynnar*”) has the meaning given in regulation 70 (early payment reduction);

“earned pension” (“*pensiwn enilledig*”) means earned pension payable without actuarial reduction at normal pension age;

“eligible child” (“*plentyn cymwys*”) has the meaning given in regulation 94 (meaning of “eligible child”);

“eligible child’s pension” (“*pensiwn plentyn cymwys*”) has the meaning given in regulation 93 (eligible child’s pension);

“eligible person” (“*person cymwys*”) has the meaning given in regulation 16 (eligible persons);

“financial year” (“*blwyddyn ariannol*”) means a period of one year beginning with 1 April and ending with 31 March;

“Firefighters’ Pensions Scheme Advisory Board for Wales” (“*Bwrdd Cynghori Cynllun Pensiwn y Diffoddwyr Tân ar gyfer Cymru*”) means a board established under regulation 10 (scheme advisory board: establishment);

“GMP age” (“*oedran LIPG*”) means 65 in the case of a man or 60 in the case of a woman;

“guaranteed minimum” (“*lleiafswm gwarantedig*”) means the guaranteed minimum as defined in sections 14(15) (earner’s guaranteed minimum) and 17(16) (minimum pensions for widows and widowers) of PSA 1993—

- (a) as increased in accordance with the requirements of section 109(17) of that Act (annual increase of guaranteed minimum pensions), and

(15) Section 14 was amended by the Pensions Act 1995 (c. 26), Schedule 5, paragraph 27 and Schedule 7, Part 3; the Social Security Contributions (Transfer of Functions etc.) Act 1999 (c. 2), Schedule 1, paragraph 38; and the Proceeds of Crime Act 2002 (c. 29), Schedule 11, paragraphs 1 and 22.

(16) Section 17 was amended by the Social Security Contributions (Transfer of Functions etc.) Act 1999 (c. 2), Schedule 1, paragraph 39; the Child Support, Pensions and Social Security Act 2000 (c. 19), Schedule 5, paragraph 1 and Schedule 9, Part 3; the Pensions Act 2004 (c. 35), section 284(2); the Pensions Act 2007 (c. 22), section 14(2); the Marriage (Same Sex Couples) Act 2013 (c. 30), Schedule 4, paragraphs 18 and 20; and S.I. 2005/2050 and 2014/560.

(17) Section 109 was amended by the Pensions Act 1995 (c. 26), section 55 and S.I. 2005/2050.

(b) if a reduction has been made under section 15A(18) of that Act (reduction of guaranteed minimum in consequence of pension debit), as reduced in accordance with that section; “higher tier ill-health pension” (“*pensiwn afiechyd haen uchaf*”) means a higher tier ill-health pension payable under regulation 74(2) (entitlement to lower tier ill-health pension and higher tier ill-health pension);

“ill-health award” (“*dyfarniad afiechyd*”) means—

- (a) a lower tier ill-health pension, and
- (b) a higher tier ill-health pension where this has also been awarded;

“index adjustment” (“*addasiad mynegai*”) means—

- (a) in relation to the opening balance of earned pension for any scheme year, the change in earnings for the previous scheme year(19), and
- (b) in relation to the opening balance of club transfer earned pension for any scheme year, the in-service revaluation index that the sending scheme would have applied to the transferred pension for that scheme year, had it not been transferred;

“in-service revaluation index” (“*mynegai ailbriso mewn-gwasanaeth*”), in relation to a pension scheme, means the percentage increase or decrease by which the pensionable earnings of a person, or a proportion of those earnings accrued as a pension, are revalued whilst the person is in pensionable service in that pension scheme;

“IQMP” (“*YMCA*”) means a medical practitioner holding a diploma in occupational medicine or an equivalent or higher qualification issued by a competent authority in an EEA State, or being an Associate, a Member or a Fellow of the Faculty of Occupational Medicine or an equivalent institution of an EEA State; and for the purposes of this definition “a competent authority” has the meaning given in section 55(1) of the Medical Act 1983(20);

“last active scheme year” (“*blwyddyn gynllun actif olaf*”) means the scheme year in which an active member of this scheme ceases to be in pensionable service under this scheme;

“last day of pensionable service” (“*diwrnod olaf o wasanaeth pensiynadwy*”) means the last day of a continuous period of pensionable service under this scheme;

“leaving year” (“*blwyddyn ymadael*”) means the scheme year in which the relevant last day falls;

“local pension board” (“*bwrdd pensiynau lleol*”) means a board established under regulation 5 (local pension boards: establishment);

“lower tier ill-health pension” (“*pensiwn afiechyd haen isaf*”) means a lower tier ill-health pension payable under regulation 74(1) (entitlement to lower tier ill-health pension and higher tier ill-health pension);

“member” (“*aelod*”), in relation to this scheme, means an active member, deferred member, or pensioner member of this scheme;

“member contributions” (“*cyfraniadau aelodau*”) has the meaning given in regulation 119(8) (member contributions);

“normal pension age” (“*oedran pensiwn arferol*”), in relation to this scheme, means 60 as required by section 10(2) of the 2013 Act;

(18) Section 15A was inserted by the Welfare Reform and Pensions Act 1999 (c. 30), section 32(1) and (3).

(19) Under section 9 of the 2013 Act the change in earnings to be applied in a period is the percentage increase or decrease as a Treasury order under that section may specify in relation to the period.

(20) 1983 c. 54; the definition of “competent authority” was inserted by S.I. 2007/3101.

“occupational pension scheme” (“*cynllun pensiwn galwedigaethol*”) has the meaning given in section 1 of PSA 1993(21);

“opening balance” (“*balans agoriadol*”), in relation to a description of pension for a scheme year other than added pension, has the meaning given in regulation 44 (opening balance, index adjustment and age addition) and in relation to added pension, has the meaning given in regulation 49 (account to specify opening balance and PIA index adjustment);

“ordinary adoption leave” (“*absenoldeb mabwysiadu arferol*”) means leave under section 75A of the Employment Rights Act 1996(22);

“ordinary maternity leave” (“*absenoldeb mamolaeth arferol*”) means leave under section 71 of the Employment Rights Act 1996(23);

“parental leave” (“*absenoldeb rhiant*”) has the meaning given in regulation 2(1) of the Maternity and Parental Leave etc. Regulations 1999(24);

“partial retirement option” (“*opsiwn o ran-ymddeoliad*”) means the option exercisable under regulation 72 (exercise of partial retirement option);

“paternity leave” (“*absenoldeb tadolaeth*”) means leave under regulation 4 or 8 of the Paternity and Adoption Leave Regulations 2002(25);

“pay period” (“*cyfnod tâl*”) means the period in respect of which a payment of pensionable pay is made;

“pension credit” (“*credyd pensiwn*”) means a credit under section 29(1)(b) of WRPA 1999;

“pension credit member” (“*aelod â chredyd pensiwn*”) has the meaning given by regulation 30 (pension credit member);

“pension credit member’s account” (“*cyfrif aelod â chredyd pensiwn*”) has the meaning given in regulation 63 (establishment of pension credit member’s account);

“pension credit member’s pension” (“*pensiwn aelod â chredyd pensiwn*”) means a pension payable under regulation 114 (entitlement to pension credit member’s pension);

“pension credit rights” (“*hawliau credyd pensiwn*”) has the meaning given in section 124(1) of the Pensions Act 1995(26);

“pension debit member” (“*aelod â debyd pensiwn*”), in relation to this scheme, means a person who is a member of this scheme whose benefits or future benefits under this scheme have been reduced under section 31 of WRPA 1999 (reduction of benefit under pension sharing order);

“pensionable pay” (“*tâl pensiynadwy*”) has the meaning given in regulation 26 (pensionable pay);

“pensionable public service” (“*gwasanaeth cyhoeddus pensiynadwy*”) means pensionable service under an existing scheme(27) or an existing public body pension scheme as defined in paragraph 1 of Schedule 2;

“pensioner member” (“*aelod-bensiynwr*”), in relation to this scheme, means a person who is entitled to the immediate payment of a retirement pension under this scheme;

(21) Relevant amendments were made to section 1 by the Pensions Act 2004 (c. 35), section 239 and by S.I. 2007/3014.

(22) Section 75A was inserted by the Employment Act 2002 (c. 22), section 3. It was amended by the Children and Families Act 2014 (c. 6), sections 118, 121 and 122 and the Work and Families Act 2006 (c. 18), Schedule 1, paragraph 33.

(23) Section 71 was substituted by the Employment Relations Act 1999. It was amended by section 118 of the Children and Families Act 2014 (c. 6), the Work and Families Act 2014 (c. 18), Schedule 1, paragraph 31 and the Employment Act 2002 (c. 22), section 17.

(24) S.I. 1999/3312 to which there are amendments not relevant to these Regulations.

(25) S.I. 2002/2788. Regulations 4 and 8 were amended by S.I. 2005/1114 and 2014/2112.

(26) 1995 c. 26. There are amendments to section 124(1) of that Act which are not relevant to these Regulations.

(27) See section 18(2) of the 2013 Act for the meaning of “existing scheme”.

“pension sharing order” (“*gorchymyn rhannu pensiwn*”) means any provision or order specified in section 28 of WRPA 1999(28);

“personal pension scheme” (“*cynllun pensiwn arferol*”) means a personal pension scheme as defined in section 1 of PSA 1993 that is a registered pension scheme;

“PIA index adjustment” (“*addasiad mynegai DPC*”), in relation to the opening balance of added pension for any scheme year, means the amount by which the annual rate of a pension of an amount equal to the opening balance would have been increased in that year under PIA 1971 if—

- (a) that pension were eligible to be so increased, and
- (b) the beginning date for that pension were the first day of the previous financial year;

“protected member” (“*aelod a ddiogelir*”), in relation to the 1992 Scheme or the NFPS, has the meaning given in Schedule 2;

“provisional amount of deferred pension” (“*swm dros dro o bensiwn gohiriedig*”) has the meaning given in regulation 54 (provisional amount of deferred pension);

“qualifying service” (“*gwasanaeth cymwys*”) has the meaning given in regulation 66 (qualifying service);

“reference pay” (“*tâl cyfeirio*”), in relation to the pay of a retained or volunteer firefighter for any period, means the whole-time equivalent pensionable pay for that period of a regular firefighter employed in a similar role and with equivalent qualifying service;

“registered” (“*cofrestredig*”), in relation to a pension scheme, means registered under Chapter 2 of Part 4 (registration of pension schemes) of FA 2004;

“regular employment” (“*cyflogaeth reolaidd*”) means employment for at least 30 hours a week on average over a period of not less than 12 consecutive months beginning with the date on which the issue of the person’s capacity for employment arises;

“regular firefighter” (“*diffoddwr tân rheolaidd*”) means a person (P) employed (whether whole-time or part-time) by an authority—

- (a) as a firefighter, but not as a retained or volunteer firefighter,
- (b) on terms under which P is, or may be, required to engage in fire-fighting or, without a break in continuity of such employment, may be required to perform other duties appropriate to P’s role as a firefighter (whether instead of, or in addition to, engaging in fire-fighting), and
- (c) otherwise than in a temporary capacity;

“the relevant last day” (“*y diwrnod olaf perthnasol*”) means—

- (a) for a partially retired member, the day on which the partial retirement option was exercised, and
- (b) otherwise, the member’s last day of pensionable service;

“reserve forces” (“*lluoedd wrth gefn*”) has the meaning given in section 1(2) of the Reserve Forces Act 1996(29);

“reserve forces service leave” (“*absenoldeb gwasanaeth lluoedd wrth gefn*”) means absence from duty because of being called out or recalled for permanent service in Her Majesty’s armed forces pursuant to a call-out notice served, or a call-out or recall order made, under the

(28) Section 28 was amended by the Civil Partnerships Act 2004 (c. 33), Schedule 27, paragraph 159 and Schedule 30, paragraph 1; the Children and Families Act 2014 (c. 6), section 18 and the Pensions Act 2008 (c. 30), section 128.

(29) 1996 c. 14.

Reserve Forces Act 1996 or absence during training required under section 22 or permitted under section 27 of that Act⁽³⁰⁾;

“retained firefighter” (“*diffoddwr tân wrth gefn*”) means a person (P) employed by an authority—

- (a) as a firefighter, but not as a regular firefighter or a volunteer firefighter,
- (b) on terms under which P is, or may be, required to engage in fire-fighting or, without a break in continuity of such employment, may be required to perform other duties appropriate to P’s role as a firefighter (whether instead of, or in addition to, engaging in fire-fighting),
- (c) otherwise than in a temporary capacity, and
- (d) who is obliged to attend at such times as the officer in charge considers necessary and in accordance with the orders that P receives;

“retirement account” (“*cyfrif ymddeol*”) has the meaning given in regulation 59 (establishment of retirement account and other adjustments);

“retirement added pension” (“*pensiwn ychwanegol ymddeol*”) has the meaning given in regulation 60(3) (account to specify amount of retirement pension (active members));

“retirement amount of deferred pension” (“*swm y pensiwn gohiriedig ymddeol*”) has the meaning given in regulation 55(3) (retirement amount of deferred pension);

“retirement benefits” (“*buddion ymddeol*”) means benefits payable under Part 5 (retirement benefits);

“retirement earned pension” (“*pensiwn enilledig ymddeol*”) has the meaning given in regulation 60(2) (account to specify amount of retirement pension (active members));

“retirement index adjustment” (“*addasiad mynegai ymddeol*”), in relation to an amount of accrued pension, has the meaning given in regulation 33 (calculation of “retirement index adjustment”);

“retirement pension” (“*pensiwn ymddeol*”) means—

- (a) in relation to a pensioner member who was an active member at the time of claiming a retirement pension, a retirement earned pension and a retirement added pension (if any);
- (b) in relation to a pensioner member who was a deferred member at the time of claiming a retirement pension, the retirement amount of deferred pension;

“retirement PIA index adjustment” (“*addasiad mynegai DPC ymddeol*”), in relation to an amount of accrued pension, has the meaning given in regulation 34 (calculation of “retirement PIA index adjustment”);

“role” (“*rôl*”), in relation to a firefighter, means the role in which the firefighter is for the time being employed, being a role set out in “Fire and Rescue Services Rolemaps” issued by the National Joint Council for Local Authority Fire and Rescue Services in August 2005⁽³¹⁾;

“this scheme” (“*y cynllun hwn*”) means the scheme established by these Regulations;

“scheme actuary” (“*actiwari’r cynllun*”) means the actuary appointed by the Welsh Ministers under regulation 159 (appointment of scheme actuary and actuarial valuations);

“scheme employer” (“*cyflogwr cynllun*”) has the meaning given in regulation 15 (scheme employment);

“scheme employment” (“*cyflogaeth gynllun*”) has the meaning given in regulation 15 (scheme employment);

⁽³⁰⁾ Section 27 was amended by the Armed Forces Act 2006 (c. 52), Schedule 17, paragraph 1.

⁽³¹⁾ A copy is available at http://www.local.gov.uk/c/document_library/get_file?uuid=326723e9-8192-4798-89bb-d152fb05fa5f&groupId=10180.

“scheme manager” (“*rheolwr cynllun*”), except where the context otherwise requires, has the meaning given in regulation 4 (scheme manager);

“scheme year” (“*blwyddyn gynllun*”) means a period of one year beginning with 1 April and ending with 31 March;

“sending scheme” (“*cynllun sy’n anfon*”) means a club scheme which pays a club transfer value;

“specified proportion” (“*cyfran benodedig*”) has the meaning given in regulation 98 (specified proportion);

“statutory pay” (“*tâl statudol*”) means—

- (a) statutory adoption pay within the meaning of section 171ZL(1) (entitlement) of the Social Security Contributions and Benefits Act 1992(32),
- (b) statutory maternity pay within the meaning of section 164(1) (statutory maternity pay - entitlement and liability to pay) of the Social Security Contributions and Benefits Act 1992(33),
- (c) ordinary statutory paternity pay within the meaning of section 171ZA(1) (entitlement: birth) or 171ZB(1) (entitlement: adoption) of the Social Security Contributions and Benefits Act 1992(34), or
- (d) additional statutory paternity pay within the meaning of section 171ZEA(1) (entitlement to additional statutory paternity pay: birth) or 171ZEB(1) (entitlement to additional statutory paternity pay: adoption) of the Social Security Contributions and Benefits Act 1992(35);

“survivor member” (“*aelod-oroeswr*”) has the meaning given in regulation 61 (establishment of survivor member’s account);

“surviving partner” (“*partner sy’n goroesi*”) has the meaning given in regulation 85 (meaning of “surviving partner”);

“surviving partner’s pension” (“*pensiwn partner sy’n goroesi*”) means a pension payable to a surviving partner under regulation 87 (surviving partner’s pension payable on death of active member), regulation 88 (surviving partner’s pension payable on death of deferred member), or regulation 89 (surviving partner’s pension payable on death of pensioner member);

“tax year” (“*blwyddyn dreth*”) means a period of one year which is the period of assessment for income tax purposes;

“total allocation amount” (“*cyfanswm y dyraniad*”), in relation to an amount of retirement pension, means the total amount of that pension allocated under Chapter 6 of Part 5 (retirement benefits);

“trade dispute” (“*anghydfod undebol*”) has the meaning given in section 218 of the Trade Union and Labour Relations (Consolidation) Act 1992(36);

“transfer payment” (“*taliad trosglwyddo*”) means a transfer value payment or a club transfer value payment;

“transfer value” (“*gwerth trosglwyddiad*”, “*gwerth trosglwyddo*”) has the meaning given in regulation 141 (interpretation in relation to Part 10);

(32) 1992 c. 4. Section 171ZL was inserted by the Employment Act 2002 (c. 22), section 4 and was amended by the Children and Families Act 2014 (c. 6), section 21 and by S.I. 2006/2012.

(33) Section 164 was amended by the Employment Act 2002 (c. 22), section 20(b), Schedule 8, paragraph 1 and Schedule 7, paragraph 6 and the Social Security Contributions (Transfer of Functions, etc.) Act 1999 (c. 2), Schedule 1, paragraph 12.

(34) Sections 171ZA and 171ZB were inserted by the Employment Act 2002, section 2. Subsections (1) of those sections were amended by the Work and Families Act 2006 (c. 18), Schedule 1, paragraphs 12 and 13.

(35) Sections 171ZEA and 171ZEB were inserted by the Work and Families Act 2006 (c. 18), sections 6 and 7.

(36) 1992 c. 52.

“transfer value payment” (“*taliad gwerth trosglwyddiad*”) means payment of a transfer value;
“transferred pension” (“*pensiwn trosglwyddedig*”) means pension attributable to receipt of a transfer value payment;

“transition member” (“*aelod trosiannol*”) has the meaning given in paragraph 1 of Schedule 2;

“volunteer firefighter” (“*diffoddwr tân gwirfoddol*”) means a person (P) who carries out operational fire-fighting for an authority—

- (a) as a firefighter, but not as a regular firefighter or a retained firefighter,
- (b) on terms under which P is, or may be, required to engage in fire-fighting or may be required to perform other duties appropriate to P’s role as a firefighter (whether instead of, or in addition to, engaging in fire-fighting),
- (c) otherwise than in a temporary capacity, and
- (d) who is obliged to attend at such times as the officer in charge considers necessary and in accordance with the orders that P receives;

“weekly rate” (“*cyfradd wythnosol*”), in relation to a guaranteed minimum pension, has the meaning given in regulation 55(2) of the Occupational Pension Scheme (Contracting-out) Regulations 1996⁽³⁷⁾.

(37) S.I. 1996/1172. Regulation 55(2) was amended by S.I. 2014/560.