
WELSH STATUTORY INSTRUMENTS

2018 No. 577

**The Firefighters' Pension Schemes and Compensation
Scheme (Wales) (Amendment) Order 2018**

Amendment of the Firefighters' Pension Scheme (Wales) Order 2007

3.—(1) Schedule 1 to the Firefighters' Pension Scheme (Wales) Order 2007⁽¹⁾ is amended as follows.

(2) In the Table of Contents, in the headings to Chapter 1 of Part 4 and rules 1 and 5 of that Chapter, for “nominated partners” substitute “cohabiting partners”.

(3) In Part 1 (title and interpretation), in rule 2(1) (interpretation)—

- (a) in the definition of “child”, in paragraph (a)(iii), for “nominated partner” substitute “cohabiting partner”;
- (b) omit the definition of “nominated partner”; and
- (c) in the appropriate place insert—

““cohabiting partner” (*partner sy'n cyd-fyw*) has the meaning given by rule 1(6) of Part 2.”.

(4) In Part 2 (scheme membership, cessation and retirement), in rule 1 (scheme membership)—

- (a) in paragraph (5)(b), for “nominated partner” substitute “cohabiting partner”;
- (b) for paragraph (6) substitute—

“(6) For the purposes of paragraph (5), the cohabiting partner of a firefighter member, deferred member or pensioner member (referred to in this paragraph as “the scheme member”) is a person who—

- (a) is living with the scheme member as if that person and the scheme member were spouses or civil partners; and
- (b) at the date on which the question of the cohabiting partner's status in relation to the scheme member falls to be considered—
 - (i) is not the spouse or civil partner of any person,
 - (ii) could enter into a marriage or a civil partnership with the scheme member under the law of England and Wales,
 - (iii) is financially dependent on the scheme member, or is, with the scheme member, in a state of mutual financial dependency, and
 - (iv) is in a long-term relationship with the scheme member.”;

- (c) omit paragraph (7)(b);
- (d) omit paragraphs (8) and (9).

(5) In Part 3 (personal awards), in rule 11(2)(a) (allocation of pension), for “nominated partner” substitute “cohabiting partner”.

⁽¹⁾ S.I. 2007/1072 (W. 110); relevant amendments were made by S.I. 2015/1016 (W. 71).

- (6) In Chapter 1 of Part 4 (survivors' pensions)—
 - (a) in the Chapter heading and in the heading to rule 1, for “nominated partners” substitute “cohabiting partners”;
 - (b) in rule 1, in the closing words of paragraph (1), for “nominated partner” substitute “cohabiting partner”;
 - (c) in the heading to rule 5, for “nominated partner” substitute “cohabiting partners”.
- (7) In Part 7 (reservists), in rule 3 (awards on death or permanent disablement), in the closing words of paragraph (3), for “nominated partner” substitute “cohabiting partner”.
- (8) In Part 11 (pensionable pay, pension contributions and purchase of additional service)—
 - (a) in rule 1 (pensionable pay)—
 - (i) in paragraphs (7) and (8), for “paragraph 33 of Schedule 2” substitute “paragraph 32 of Schedule 2”;
 - (ii) in paragraph (8), for “paragraph 33(4) of Schedule 2” substitute “paragraph 32(4) of Schedule 2”; and
 - (iii) in paragraph (9), for “paragraph 33(3) of Schedule 2” substitute “paragraph 32(3) of Schedule 2”;
 - (b) in rule 2 (final pensionable pay), in paragraph (2A)(b), for “paragraph 33(4) of Schedule 2” substitute “paragraph 32(4) of Schedule 2”.
- (9) In Part 15, omit rules 5(3) and 6(3).