



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2020 Rhif 1511 (Cy. 323)

2020 No. 1511 (W. 323)

**PENSIYNAU
GWASANAETHAU
CYHOEDDUS, CYMRU**

**PUBLIC SERVICE PENSIONS,
WALES**

**Rheoliadau Cynlluniau Pensiwn a
Chynllun Digolledu'r Diffoddwyr
Tân (Cymru) (Diwygio) 2020**

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

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn diwygio—

- (a) Gorchymyn Cynllun Pensiwn y Dynion Tân 1992 sy'n nodi, yn Atodlen 2, Gynllun Pensiwn y Dynion Tân (Cymru) ("Gorchymyn 1992"),
- (b) Gorchymyn Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2007 sy'n nodi, yn Atodlen 1, Gynllun Pensiwn Newydd y Diffoddwyr Tân (Cymru) ("Gorchymyn 2007"),
- (c) Gorchymyn Cynllun Digolledu'r Diffoddwyr Tân (Cymru) 2007 sy'n nodi, yn Atodlen 1, Gynllun Digolledu'r Diffoddwyr Tân (Cymru) 2007 ("Gorchymyn Digolledu 2007"), a
- (d) Rheoliadau Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015 sy'n nodi Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015 ("Rheoliadau 2015").

Mae i rai o'r rheoliadau effaith ôl-weithredol – nodir y rhain yn rheoliad 1(3). Mae'r darpariaethau a ganlyn yn y ddeddfwriaeth alluogi yn caniatáu i'r rheoliadau a wneir o dan y darpariaethau hynny gael effaith ôl-weithredol—

- (a) adran 12 o Ddeddf Blwydd-daliadau 1972, fel y'i cymhwysir gan adran 16(3) o'r Ddeddf honno mewn perthynas â gorchmynion a wneir o dan adran 26 o Ddeddf Gwasanaethau Tân 1947

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) adran 34(3) o Ddeddf y Gwasanaethau Tân ac Achub 2004, ac
- (c) adran 3(3)(b) o Ddeddf Pensiynau'r Gwasanaethau Cyhoeddus 2013.

Mae rheoliadau 3 i 5 yn gwneud diwygiadau i Orchymyn 1992. Mae'r diwygiadau a wneir gan reoliad 3(a), (c) a (d), yn sicrhau nad yw diffoddwr tân dan anfantais oherwydd y ddarpariaeth sy'n caniatáu i ddau bensiwn, y cânt eu cyfrifo ar wahân, gael eu dyfarnu, yn dilyn gostyngiad sylweddol mewn cyflog, ac maent hefyd yn gwneud mân ddiweddariadau eraill. Mae rheoliad 3(b) yn egluro, pan fo gan ddiffoddwr tân yr hawl i ddau bensiwn o dan Orchymyn 1992, caiff swm y pensiwn cyntaf ei uwchraddio'n flynyddol o'r dyddiad y peidiodd y diffoddwr tân ag ennill cyflog yn ôl y gyfradd uwch.

Effaith y diwygiadau yn rheoliad 4 yw cysoni'r buddion sy'n daladwy i orosywyr partneriaethau sifil a phriodasau o'r un rhyw â'r buddion sy'n daladwy i orosywyr priodasau rhwng pobl o rywiau gwahanol.

Mae rheoliad 5 yn diweddarau cyfeiriad statudol sydd wedi dyddio yng Ngorchymyn 1992.

Mae rheoliadau 7 i 9 yn gwneud diwygiadau i Orchymyn 2007. Mae rheoliad 7 yn egluro, pan fo gan ddiffoddwr tân yr hawl i ddau bensiwn o dan Gynllun 2007, caiff swm y pensiwn cyntaf ei uwchraddio'n flynyddol o'r dyddiad y peidiodd y diffoddwr tân ag ennill cyflog yn ôl y gyfradd uwch.

Mae rheoliad 8 yn diweddarau cyfeiriad statudol sydd wedi dyddio yng Ngorchymyn 2007.

Mae rheoliad 9 yn rhoi tabl newydd yn lle'r tabl o ffactorau cymudo ar gyfer aelodau arbennig a nodir yn Atodiad ZA i Orchymyn 2007 i gynnwys ffactorau y tu hwnt i 65 oed, hyd at 75 oed. Mae'r ffactorau cymudo fel yr oeddent ar 31 Mawrth 2014 (hyd at 65 oed) wedi eu hatgynhyrchu yn y tabl newydd ac nid ydynt wedi newid.

Mae rheoliadau 11 a 12 yn gwneud diwygiadau i Orchymyn Digolledu 2007.

Effaith y diwygiadau yn rheoliad 11 yw cysoni'r buddion sy'n daladwy i orosywyr partneriaethau sifil a phriodasau o'r un rhyw â'r buddion sy'n daladwy i orosywyr priodasau rhwng pobl o rywiau gwahanol.

Mae rheoliad 12 yn diwygio rheol 3 (lwfans arbennig plentyn: cyfyngiadau) yn Rhan 4 o Orchymyn Digolledu 2007 drwy ddileu rhai o'r cyfyngiadau ar blant dibynnol, llys blant a phlant wedi eu mabwysiadu, yn ogystal â phlant i rieni di-briod. Mae hefyd yn diwygio pennawd rheol 3 ac yn egluro croesgyfeiriad yn rheol 3(5)(a).

- (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 updated 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 updated 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).

Mae rheoliad 14 yn diwygio Rheoliadau 2015 i egluro bod aelodau gwarchoddedig o'r Cynllun a gyfansoddwyd gan Orchymyn 1992 sy'n trosglwyddo i Gymru o Loegr, yr Alban a Gogledd Iwerddon yn parhau i fod â'r hawl i fod yn aelodau o'r Cynllun hwnnw.

Mae'r diwygiadau a wneir gan—

- (a) rheoliadau 4(1), 4(2), 4(4) a 11 yn cael effaith o 5 Rhagfyr 2005 ymlaen;
- (b) rheoliad 12 yn cael effaith o 1 Ebrill 2006 ymlaen;
- (c) rheoliad 7 yn cael effaith o 6 Ebrill 2006 ymlaen;
- (d) rheoliad 3 yn cael effaith o 1 Ebrill 2007 ymlaen;
- (e) rheoliadau 5 ac 8 yn cael effaith o 1 Rhagfyr 2009 ymlaen;
- (f) rheoliad 4(3) yn cael effaith o 13 Mawrth 2014 ymlaen;
- (g) rheoliad 14 yn cael effaith o 1 Ebrill 2015 ymlaen;
- (h) rheoliad 9 yn cael effaith o 23 Chwefror 2021 ymlaen.

Ystyriwyd Cod Asesiadau Effaith Rheoleiddiol Gweinidogion Cymru ar Is-ddeddfwriaeth mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

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.

2020 Rhif 1511 (Cy. 323)

**PENSIYNAU
GWASANAETHAU
CYHOEDDUS, CYMRU**

**Rheoliadau Cynlluniau Pensiwn a
Chynllun Digolledu'r Diffoddwyr
Tân (Cymru) (Diwygio) 2020**

Gwnaed 10 Rhagfyr 2020
Gosodwyd gerbron *Senedd*
Cymru 14 Rhagfyr 2020
Yn dod i rym 23 Chwefror 2021

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan adran 26(1), (2) a (5) o Ddeddf Gwasanaethau Tân 1947(1); adran 12 o

2020 No. 1511 (W. 323)

**PUBLIC SERVICE PENSIONS,
WALES**

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

Made 10 December 2020
Laid before Senedd Cymru 14 December 2020
Coming into force 23 February 2021

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

(1) 1947 p. 41, a ddiwymwyd gan adran 52 o Ddeddf y Gwasanaethau Tân ac Achub 2004 (p. 21) ac Atodlen 2 iddi. Mae is-adrannau (1), (2) a (5) o adran 26 yn parhau i gael effaith, o ran Cymru, at ddibenion y cynllun a sefydlwyd o dan yr adran honno fel Cynllun Pensiwn y Dynion Tân ac a nodir yng Ngorchymyn Cynllun Pensiwn y Dynion Tân 1992 (O.S. 1992/129), yn rhinwedd erthygl 3 o O.S. 2004/2918 (Cy. 257). Newidiwyd enw'r cynllun i Gynllun Pensiwn y Dynion Tân (Cymru) gan erthygl 4 o'r offeryn hwnnw. Diwygiwyd adran 26 o Ddeddf Gwasanaethau Tân 1947 gan adran 1 o Ddeddf Gwasanaethau Tân 1951 (p. 27), adran 42 o Ddeddf y Lluoedd Wrth Gefn a'r Lluoedd Ategol (Diogelu Buddiannau Sifil) 1951 (p. 65), adran 33 o Ddeddf Dwyn 1968 (p. 60) ac Atodlen 3 iddi, adrannau 16 a 29 o Ddeddf Blwydd-daliadau 1972 (p. 11) ac Atodlen 8 iddi, adrannau 100 a 101 o Ddeddf Nawdd Cymdeithasol 1973 (p. 38) ac Atodlen 27 iddi, adran 1 o Ddeddf Nawdd Cymdeithasol (Darpariaethau Canlyniadol) 1975 (p. 18), ac Atodlen 1 iddi, adran 32(2) o Ddeddf Llysoedd Ynadon 1980 (p. 43), adran 1 o Ddeddf Pensiynau'r Heddlu a'r Dynion Tân 1997 (p. 52), adran 256 o Ddeddf Partneriaeth Sifil 2004 (p. 33) ac Atodlen 25 iddi, a chan O.S. 1976/551. I'r graddau y caiff Cynllun Pensiwn y Dynion Tân ei barhau mewn grym, o ran Cymru, yn rhinwedd O.S. 2004/2918 (erthygl 3(1)), mae adran 26(1), (2) a (5) yn cael effaith fel pe rhoddid cyfeiriad at "National Assembly for Wales" yn lle pob cyfeiriad at "Secretary of State"; gweler erthygl 2 o O.S. 2006/1672 (Cy. 160). Yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32), mae'r swyddogaethau o dan adran 26 o Ddeddf Gwasanaethau Tân 1947 wedi eu breinio bellach yng Ngweinidogion Cymru i'r graddau y maent yn arferadwy o ran Cymru.

(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.

Ddeddf Blwydd-daliadau 1972(1), fel y'u cymhwysir gan adran 16(3) o'r Ddeddf honno(2); a chan adran 34(1) i (4) o Ddeddf y Gwasanaethau Tân ac Achub 2004(3)(4), ac a freinir bellach yng Ngweinidogion Cymru.

Mae Gweinidogion Cymru hefyd yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan adrannau 1(1) a (2)(f)(5), 2(1), 3(1) i (3) a 18(5)(a) a (6) o Ddeddf Pensiynau'r Gwasanaethau Cyhoeddus 2013(6) ac Atodlenni 2 (paragraff 6(b)) a 3 (paragraffau 1 i 4) iddi.

Cyn gwneud y Rheoliadau hyn, ac yn unol ag adran 34(5) o Ddeddf Gwasanaethau Tân ac Achub 2004, ymgynghorodd Gweinidogion Cymru â'r personau hynny yr oeddent yn ystyried eu bod yn briodol.

Yn unol ag adran 21(1) o Ddeddf Pensiynau'r Gwasanaethau Cyhoeddus 2013, mae Gweinidogion Cymru wedi ymgynghori â chynrychiolwyr y personau hynny y mae'n ymddangos yn debygol i Weiniidogion Cymru y bydd y Rheoliadau hyn yn effeithio arnynt.

RHAN 1 Cyffredinol

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynlluniau Pensiwn a Chynllun Digolledu'r Diffoddwyr Tân (Cymru) (Diwygio) 2020.

(2) Daw'r Rheoliadau hyn i rym ar 23 Chwefror 2021.

(3) Mae'r darpariaethau yn—

(a) rheoliadau 4(1), 4(2), 4(4) ac 11 yn cael effaith o 5 Rhagfyr 2005 ymlaen;

(1) 1972 p. 11; diwygiwyd adran 12 gan Ddeddf Pensiynau (Darpariaethau Amrywiol) 1990 (p. 7).

(2) Diddymwyd adran 16 gan adran 52 o Ddeddf Gwasanaethau Tân ac Achub 2004, ac Atodlen 2 iddi, ond mae'n parhau i gael effaith, o ran Cymru, yn rhinwedd erthygl 3(2) o O.S. 2004/2918 (Cy. 257).

(3) 2004 p. 21. Mae'r pwerau a roddir gan adran 34(1) i (4) o Ddeddf Gwasanaethau Tân ac Achub 2004 bellach wedi eu breinio yng Ngweinidogion Cymru i'r graddau y maent yn arferadwy o ran Cymru. Yr oeddent wedi eu breinio'n flaenorol yng Nghynulliad Cenedlaethol Cymru yn rhinwedd adran 62 o'r Ddeddf honno. Yn rhinwedd paragraffau 30 a 32 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006, trosglwyddwyd hwy i Weiniidogion Cymru.

(4) Caniateir arfer y pŵer i wneud gorchymyn o dan adran 34(4) o Ddeddf Gwasanaethau Tân ac Achub 2004 i wneud rheoliadau yn rhinwedd adran 39 o Ddeddf Deddfwriaeth (Cymru) 2019 (dccc 4).

(5) *Gweler* hefyd adran 1(3) ac Atodlen 1.

(6) 2013 p. 25.

the Superannuation Act 1972(1), as applied by section 16(3) of that Act(2); and section 34(1) to (4) of the Fire and Rescue Services Act 2004(3)(4), 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)(5), 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(6).

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.

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;

(1) 1972 c. 11; section 12 was amended by the Pensions (Miscellaneous Provisions) Act 1990 (c. 7).

(2) 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).

(3) 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 excisable 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.

(4) 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).

(5) *See* also section 1(3) and Schedule 1.

(6) 2013 c. 25.

- (b) rheoliad 12 yn cael effaith o 1 Ebrill 2006 ymlaen;
 - (c) rheoliad 7 yn cael effaith o 6 Ebrill 2006 ymlaen;
 - (d) rheoliad 3 yn cael effaith o 1 Ebrill 2007 ymlaen;
 - (e) rheoliadau 5 ac 8 yn cael effaith o 1 Rhagfyr 2009 ymlaen;
 - (f) rheoliad 4(3) yn cael effaith o 13 Mawrth 2014 ymlaen;
 - (g) rheoliad 14 yn cael effaith o 1 Ebrill 2015 ymlaen(1).
- (4) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

- (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(1).
- (4) These Regulations apply in relation to Wales.

RHAN 2

Gorchymyn Cynllun Pensiwn y Dynion Tân 1992

Diwygiadau i Orchymyn Cynllun Pensiwn y Dynion Tân 1992

2. Mae Atodlen 2 i Orchymyn Cynllun Pensiwn y Dynion Tân 1992(2) (lle nodir Cynllun Pensiwn y Dynion Tân (Cymru)(3) (“Cynllun 1992”)), wedi ei diwygio fel a nodir yn rheoliadau 3 i 5.

Cynyddu pensiynau hollt: Cynllun 1992

3. Yn Rhan B (dyfarndaliadau personol), yn rheol B5A (yr hawlogaeth i gael dau bensiwn)(4)—

- (a) ym mharagraff (2), yn lle “exceeds” rhodder “is lower than”;
- (b) ar ôl paragraff (3) mewnosoder—

“(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

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(2) (in which is set out the Firefighters’ Pension (Wales) Scheme(3) (“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)(4)—

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

(1) Mae pŵer i roi effaith ôl-weithredol wedi ei roi gan adran 12 o Ddeddf Blwydd-daliadau 1972, adran 34(3) o Ddeddf Gwasanaethau Tân ac Achub 2004 a chan adran 3(3)(b) o Ddeddf Pensiynau'r Gwasanaethau Cyhoeddus 2013.

(2) O.S. 1992/129; a ddiwygiwyd gan O.S.au 1997/2309 a 2851, 1998/1010, 2001/3649 a 3691, 2004/1912 a 2918 (Cy. 257), 2006/1672 (Cy. 160), 2007/1074 (Cy. 112), 2009/1226 (Cy. 109), 2010/234, 2013/736 (Cy. 88), 2014/522 (Cy. 63) a 3242 (Cy. 329), 2014/560, 2015/1016 (Cy. 71) a 2018/577 (Cy. 104).

(3) Cafodd Cynllun 1992 ei ailenwi gan erthygl 4(2) o O.S. 2004/2918.

(4) Mewnosodwyd rheol B5A gan erthygl 2 o O.S. 2009/1226 (Cy. 109), a pharagraff 1 o'r Atodlen iddo, ac fe'i diwygiwyd gan O.S. 2014/3242 (Cy. 329), O.S. 2015/1016 (Cy. 71) ac O.S. 2018/577 (Cy. 104).

(1) 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.

(2) 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).

(3) S.I. 2004/2918, article 4(2) renamed the 1992 Scheme.

(4) 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).

service at the higher rate of pay, to which the Pensions (Increase) Act 1971(1) applied.”;

- (c) ym mharagraff (6), ar ôl “B1,” mewnosoder “B1A.”;
- (d) ym mharagraff (9), yn lle “paragraph (3)” rhodder “paragraph (4)”.

Buddion goroeswr i bartneriaid sifil a phriodau o’r un rhyw: Cynllun 1992

4.—(1) Yn Rhan C (dyfarndaliadau yn sgil marwolaeth – priodau)—

- (a) yn rheol C1 (pensiwn cyffredin priod)—
 - (i) ym mharagraff (2)(2), ar ôl “spouse” mewnosoder “or surviving civil partner”;
 - (ii) hepgorer paragraff (2A)(3);
- (b) yn rheol C4 (pensiwn cronedig priod), ym mharagraff (3)(4)—
 - (i) yn is-baragraff (a), ar ôl “spouse” mewnosoder “or surviving civil partner”;
 - (ii) hepgorer is-baragraff (b) a’r “and” sy’n dod o’i flaen;
- (c) yn rheol C5 (cyfyngiad ar ddyfarndaliad i briod neu bartner sifil drwy gyfeirio at ddyddiad y briodas neu’r dyddiad y ffurfiwyd y bartneriaeth)(5)—
 - (i) ym mharagraff (2), ar ôl “spouse” mewnosoder “or surviving civil partner”;
 - (ii) hepgorer paragraff (3);
- (d) yn rheol C6 (budd angenrheidiol a phensiwn dros dro priod neu bartner sifil), ym mharagraff (4)(6)—
 - (i) yn is-baragraff (a), hepgorer “in the case of a surviving spouse.”;
 - (ii) hepgorer is-baragraff (b) a’r “and” sy’n dod o’i flaen;

service at the higher rate of pay, to which the Pensions (Increase) Act 1971(1) 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)(2), after “spouse” insert “or surviving civil partner”;
 - (ii) omit paragraph (2A)(3);
- (b) in rule C4 (spouse’s accrued pension), in paragraph (3)(4)—
 - (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)(5)—
 - (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)(6)—
 - (i) in sub-paragraph (a), omit “in the case of a surviving spouse.”;
 - (ii) omit sub-paragraph (b) and the “and” preceding it;

(1) 1971 p. 56.

(2) Amnewidiwyd paragraff (2) o reol C1 gan erthygl 2 o O.S. 2014/3242 (Cy. 329), a paragraff 3(a) o Atodlen 1 iddo.

(3) Mewnosodwyd paragraff (2A) o reol C1 gan erthygl 2 o O.S. 2006/1672 (Cy. 160), a paragraff 3 o Atodlen 2 iddo.

(4) Amnewidiwyd paragraff (3) o reol C4 gan erthygl 2 o O.S. 2006/1672 (Cy. 160), a paragraff 6 o Atodlen 2 iddo.

(5) Amnewidiwyd rheol C5 gan erthygl 2 o O.S. 2006/1672 (Cy. 160), a paragraff 7 o Atodlen 2 iddo; diwygiwyd paragraffau (2) a (3) gan erthygl 2 o O.S. 2007/1074 (Cy. 112), a paragraff 17 o Atodlen 1 iddo.

(6) Amnewidiwyd rheol C6 gan erthygl 2 o O.S. 2007/1074 (Cy. 112), a paragraff 18 o Atodlen 1 iddo.

(1) 1971 c. 56.

(2) 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).

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

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

(5) 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).

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

- (e) yn rheol C8 (cyfyngiad pan fo priodau yn byw ar wahân), ym mharagraff (2)(1)—
 - (i) yn is-baragraff (a), hepgorer “in the case of a surviving spouse,”;
 - (ii) hepgorer is-baragraff (b) a’r “and” sy’n dod o’i flaen.

(2) Yn Rhan J (achosion arbennig), yn rheol J1 (lleiafswm pensiwn gwarantedig)(2)—

- (a) ym mharagraff (2)—
 - (i) yn lle is-baragraff (b) rhodder—

“(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”;
 - (ii) hepgorer is-baragraff (d) a’r “and” sy’n dod o’i flaen;
- (b) ym mharagraff (4), yn lle “, (c) or (d)” rhodder “or (c)”.

(3) Yn Atodlen 1 (dehongli) i Gynllun 1992, hepgorer paragraffau 1 a 2 o Ran 3 (darpariaeth yn ymwneud â chyplau o’r un rhyw)(3).

(4) Yn Atodlen 3 (dyfardaliadau yn sgil marwolaeth – priodau) i Gynllun 1992—

- (a) yn Rhan 3 (pensiwn cronodig priod)—
 - (i) ym mharagraff 2(1), ar ôl “spouse’s” mewnosoder “, or surviving civil partner’s,”;
 - (ii) ym mharagraff 3(1), ar ôl “spouse” mewnosoder “or surviving civil partner”;
- (b) yn Rhan 4 (pensiwn i briod sy’n goroesi o briodas ar ôl ymddeol), ym mharagraffau 1(1)(4) a 2(1), ar ôl “surviving spouse” mewnosoder “or surviving civil partner”.

- (e) in rule C8 (limitation where spouses living apart), in paragraph (2)(1)—
 - (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)(2)—

- (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”;
 - (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)(3).

(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)(4) and 2(1), after “surviving spouse” insert “or surviving civil partner”.

(1) Amnewidiwyd paragraff (2) o reol C8 gan erthygl 2 o O.S. 2006/1672 (Cy. 160), a pharagraff 10 o Atodlen 2 iddo; ac fe’i diwygiwyd gan erthygl 2 o O.S. 2007/1074 (Cy. 112), a pharagraff 20 o Atodlen 1 iddo.

(2) Amnewidiwyd paragraff 2(d) o reol J1 gan erthygl 2 o O.S. 2014/3242 (Cy. 329), a pharagraff 11 o Atodlen 1 iddo; diwygiwyd paragraff (4) gan erthygl 2 o O.S. 2006/1672 (Cy. 160), a pharagraff 21 o Atodlen 2 iddo.

(3) Mewnosodwyd Rhan 3 o Atodlen 1 i Gynllun 1992 gan erthygl 4 o O.S. 2014/560, a pharagraff 17 o Ran 2 o Atodlen 3 iddo; mae diwygiad arall i baragraff 1 nad yw’n berthnasol i’r offeryn hwn.

(4) Amnewidiwyd Rhan 4 gan erthygl 2 o O.S. 2006/1672 (Cy. 160), a pharagraff 83(b) o Atodlen 1 iddo; diwygiwyd paragraff 1(1) ac amnewidiwyd paragraff 1(2) gan erthygl 2 o O.S. 2007/1074 (Cy. 112), a pharagraff 63(c) o Atodlen 1 iddo.

(1) 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).

(2) 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).

(3) 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.

(4) 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).

Cymudo credydau pensiwn bach: Cynllun 1992

5. Yn Rhan IA (aelodau credyd pensiwn), yn rheol IA2(1)(1) (cymudo'r buddion credyd pensiwn), yn lle "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)" rhodder "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)(2)".

RHAN 3

Gorchymyn Cynllun Pensiwn y Diffoddwyr
Tân (Cymru) 2007

Diwygiadau i Orchymyn Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2007

6. Mae Atodlen 1 i Orchymyn Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2007(3) (lle nodir Cynllun Pensiwn Newydd y Diffoddwyr Tân (Cymru) ("Cynllun 2007")) wedi ei diwygio fel a nodir yn rheoliadau 7 i 9.

Cynyddu pensiynau hollt: Cynllun 2007

7. Yn Rhan 3 (dyfardaliadau personol), yn rheol 7 (yr hawlogaeth i gael dau bensiwn)(4)—

- (a) ym mharagraff (2), yn lle "ym mharagraffau (3) a (4)" rhodder "ym mharagraffau (3), (3A) a (4)";
- (b) ar ôl paragraff (3) mewnosoder—

"(3A) Caiff swm y pensiwn cyntaf a ddyfermir o dan baragraff (3) ei gynyddu bob blwyddyn cyn diwrnod gwasanaeth olaf y diffoddwr tân o swm sy'n gyfwerth â'r swm a fyddai'n gymwys pe byddai'r pensiwn cyntaf yn bensiwn a delir gan gychwyn o'r dyddiad yr oedd paragraff (1) yn gymwys am y tro cyntaf i'r aelod, yr oedd Deddf Pensiynau (Cynnydd) 1971 yn gymwys iddo."

Commutation of small pension credits: the 1992 Scheme

5. In Part IA (pension credit members), in rule IA2(1)(1) (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)(2)".

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(3) (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)(4)—

- (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."

(1) Diwygiwyd rheol IA2(1) gan erthygl 2 o O.S. 2014/3242 (Cy. 329), a pharagraff 10(b) o Atodlen 1 iddo.
(2) 2004 p. 12; mae diwygiadau i Ran 1 o Atodlen 29 nad ydynt yn berthnasol.
(3) O.S. 2007/1072 (Cy. 110); a ddiwygiwyd gan O.S.au 2009/1225 (Cy. 108), 2010/234, 2012/972 (Cy. 127), 2013/735 (Cy. 87), 2013/1577 (Cy. 145), 2014/560, 2014/3254 (Cy. 330), 2015/1013 (Cy. 69), 2015/1016 (Cy. 71) a 2018/577 (Cy. 104).
(4) Diwygiwyd rheol 7, yn Rhan 3, gan O.S. 2014/3254 (Cy. 330) a 2015/1016 (Cy. 71).

(1) Rule IA2(1) was amended by article 2 of, and paragraph 10(b) of Schedule 1 to, S.I. 2014/3242 (W. 329).
(2) 2004 c. 12; there are amendments to Part 1 of Schedule 29 which is not relevant.
(3) 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).
(4) Rule 7, in Part 3, was amended by S.I. 2014/3254 (W. 330) and 2015/1016 (W. 71).

Cymudo credydau pensiwn bach: Cynllun 2007

8. Yn Rhan 6 (rhannu pensiwn yn sgil ysgaru), yn rheol 2 (cymudo'r cyfan o fuddion credyd pensiwn), ym mharagraff (1), yn lle "O dan yr amgylchiadau a ddisgrifir yn rheoliad 3(2)(b) o Reoliadau Rhannu Pensiwn (Budd Credyd Pensiwn) 2000 (cymudo budd credyd pensiwn: pensiynau bach)" rhodder "Pan na fo swm y pensiwn sy'n daladwy o dan y Rhan hon yn fwy na therfyn y cyfandaliad mân gymudiad o fewn ystyr "trivial commutation lump sum" ym mharagraff 7 o Atodlen 29 i Ddeddf Cyllid 2004 (y rheol ynghylch cyfandaliadau)(1)".

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)(1)".

(1) 2004 p. 12; mae diwygiadau eraill i Ran 1 o Atodlen 29 nad ydynt yn berthnasol i'r Rheoliadau hyn.

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

Y gyfran a gymudwyd: aelodau arbennig: Cynllun 2007

9. Yn Atodiad ZA, yn lle'r Tabl rhodder—

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

Commuted portion: special members: the 2007 Scheme

9. In Annex ZA, for the Table substitute—

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

RHAN 4

Gorchymyn Cynllun Digolledu'r Diffoddwyr Tân (Cymru) 2007

Diwygiadau i Orchymyn Cynllun Digolledu'r Diffoddwyr Tân (Cymru) 2007

10. Mae Atodlen 1 i Orchymyn Cynllun Digolledu'r Diffoddwyr Tân (Cymru) 2007(1) (lle nodir Cynllun Digolledu'r Diffoddwyr Tân (Cymru) 2007 (“Cynllun Digolledu 2007”)) wedi ei diwygio fel a nodir yn rheoliadau 11 a 12.

Buddion goroeswr i bartneriaid sifil a phriodau o'r un rhyw: Cynllun Digolledu 2007

11. Yn Rhan 3 (dyfardaliadau yn sgil marwolaeth: priodau a phartneriaid sifil)—

- (a) yn rheol 1 (dyfardaliad arbennig ar gyfer priod neu bartner sifil), ym mharagraff (3)(2)—
 - (i) yn is-baragraff (a), ar ôl “spouse” mewnosoder “or surviving civil partner”;
 - (ii) hepgorer is-baragraff (b);
- (b) yn rheol 3 (cyfyngiad ar ddyfardaliad i briod neu bartner sifil drwy gyfeirio at ddyddiad y briodas neu'r dyddiad y ffurfiwyd y bartneriaeth)—
 - (i) ym mharagraff (2), ar ôl “spouse” mewnosoder “or surviving civil partner”;
 - (ii) hepgorer paragraff (3);
- (c) yn rheol 4 (cyfyngiad pan fo'r priod neu'r partner sifil yn byw ar wahân), ym mharagraff (2)(3)—
 - (i) yn is-baragraff (a), ar ôl “spouse” mewnosoder “or surviving civil partner”;
 - (ii) hepgorer is-baragraff (b) a'r “and” sy'n dod o'i flaen.

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(1) (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)(2)—
 - (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)(3)—
 - (i) in sub-paragraph (a), after “spouse” insert “or surviving civil partner”;
 - (ii) omit sub-paragraph (b) and the “and” preceding it.

(1) O.S. 2007/1073 (Cy. 111); a ddiwygiwyd gan O.S.au 2010/234, 2014/3256 (Cy. 331), 2015/1013 (Cy. 69) a 2018/577 (Cy. 104).

(2) Diwygiwyd paragraff (3) o reol 1 gan erthygl 2 o O.S. 2014/3256 (Cy. 331), a pharagraff 3(2) o Atodlen 1 iddo, erthygl 2 o O.S. 2015/1013 (Cy. 69), a pharagraff 3(2)(a)(i) a (ii) o Atodlen 1 iddo.

(3) Diwygiwyd paragraff 2 o reol 4 gan erthygl 2 o O.S. 2015/1013 (Cy. 69), a pharagraff 3(3) o Atodlen 1 iddo.

(1) 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).

(2) 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).

(3) 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).

Dyfarndaliadau yn sgil marwolaeth: plant: Cynllun Digolledu 2007

12. Yn Rhan 4 (dyfarndaliadau yn sgil marwolaeth: plant), yn rheol 3 (Iwfans arbennig neu rodd ariannol plentyn: cyfyngiadau)—

- (a) yn y pennawd, hepgorer “or gratuity”;
- (b) hepgorer paragraff (1);
- (c) ym mharagraff (5)(a), yn lle “(b) or (c)” rhodder “(2)(b) or (c)”.

RHAN 5

Rheoliadau Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015

Diwygiadau i Reoliadau Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015

13. Mae Rheoliadau Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015, sy'n sefydlu Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015(1) (“Cynllun 2015”), wedi eu diwygio yn unol â rheoliad 14.

Taliadau gwerth trosglwyddiad clwb: Cynllun 2015

14. Yn Atodlen 2 (darpariaethau trosiannol), ym mharagraff 45 (derbyn taliadau gwerth trosglwyddiad clwb), ar ôl “ymwneud â budd cyflog terfynol aelod” mewnosoder “, ar wahân i daliad o Gynllun 1992 fel y mae'r cynllun hwnnw yn cael effaith yn Lloegr, yr Alban a Gogledd Iwerddon,”.

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)”.

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(1) (“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,”.

Hannah Blythyn

Y Dirprwy Weinidog Tai a Llywodraeth Leol, un o Weinidogion Cymru
10 Rhagfyr 2020

Deputy Minister for Housing and Local Government,
one of the Welsh Ministers
10 December 2020

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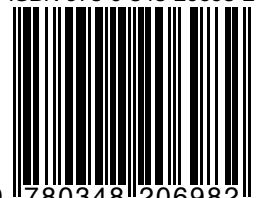
(1) O.S. 2015/622 (Cy. 50); a ddiwygiwyd gan O.S.au 2015/1016 (Cy. 71) a 2018/576 (Cy. 103).

(1) S.I. 2015/622 (W. 50); amended by S.I.s 2015/1016 (W. 71) and 2018/576 (W. 103).

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