
WELSH STATUTORY INSTRUMENTS

2023 No. 961

The Firefighters' Pensions (Remediable Service) (Wales) Regulations 2023

PART 3

Decisions in relation to remediable service

CHAPTER 3

Deferred choice decision for 2015 scheme or legacy scheme benefits

Deferred choice decision to be made by M

- 15.**—(1) This regulation applies where M is the deferred choice decision-maker.
- (2) M must notify the scheme manager that they intend to claim benefits in relation to their remediable service—
- (a) during the period between 3 and 6 months before the date M intends such benefits to become payable, or
 - (b) during such other period that the scheme manager considers reasonable in all the circumstances.
- (3) A deferred choice decision may only be made during the period—
- (a) beginning with the date a remediable service statement is issued under regulation 4(2)(c)(i), and
 - (b) ending—
 - (i) with the day 12 weeks after that date,
 - (ii) subject to paragraph (5), with such other day as the scheme manager considers reasonable in all the circumstances, or
 - (iii) if earlier than the time which applies by virtue of paragraph (i) or (ii), with the day before benefits become payable in relation to M's remediable service.
- (4) The end of the period during which a deferred choice election decision may be made must not be more than one year before the day on which it is reasonably expected that, if a section 10 election were made, 2015 scheme benefits would become payable to or in respect of M.
- (5) A deferred choice decision made by M—
- (a) may be revoked at any time before the cancellation deadline, and
 - (b) lapses where 12 months after a deferred choice decision is made scheme benefits have not become payable.
- (6) M must communicate the revocation of a deferred choice decision in writing to the scheme manager.
- (7) Where paragraph (5) applies M may make a new deferred choice decision in accordance with paragraph (3).

Status: This is the original version (as it was originally made).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

(8) Where the scheme manager receives notice that M has died and M has made a deferred choice decision, that decision is irrevocable.

(9) In paragraph (5), “the cancellation deadline” means—

- (a) the beginning of the day two weeks before the day (“the payment day”) on which the first payment under a firefighters’ pension scheme becomes payable in relation to M’s remediable service, or
- (b) such later time before the payment day as the scheme manager considers reasonable in all the circumstances.