SCHEDULE 1

THE NEW FIREFIGHTERS' PENSION SCHEME (WALES)

PART 14

PAYMENT OF AWARDS

Payment of awards; further supplementary provision

6.—(1) On the death of a person to whom there was due, in respect of an award, a sum not exceeding the amount specified(**1**) in any order for the time being in force under section 6 of the Administration of Estates (Small Payments) Act 1965(**2**), the authority may, without requiring the production of probate or any other proof of entitlement—

(a) where only one person appears to be beneficially entitled to the personal estate of the deceased, pay the sum to that person, or

(b) in any other case, either pay the sum to one of the persons appearing to be so entitled or distribute it among all or any of them in such proportions as the authority may determine.

(2) An assignment of, or charge on, an award is void to the extent that it is in favour of a person other than a dependant of the person entitled to the award.

(3) On the bankruptcy of a person entitled to an award, the award does not pass to any trustee or other person acting on behalf of the creditors.

(4) Subject to paragraphs (5) and (6), where as a result of fraud, theft or negligence on the part of a firefighter in connection with that firefighter's employment, there has been a loss to the funds of an authority, the authority may withhold all or part of any sums becoming due to that firefighter from the authority in respect of an award.

(5) The total amount withheld under paragraph (4) must not exceed the amount of the loss; and in the event of any dispute as to the amount of the loss, nothing may be withheld unless the loss has become recoverable from the person entitled to the award under the order of a competent court.

(6) There must not in any case be withheld any part of a sum due that is not attributable to service as an employee of an authority.

(7) Where an amount is withheld under paragraph (4), the authority must provide the person entitled to the award with a certificate showing the amount withheld.

(**1**) At the time of making this Order, the sum is £5,000 (Administration of Estates (Small Payments) (Increase of Limit) Order 1984 (S.I. 1984/539).
(**2**) 1965 c. 32.