

SCHEDULE

THE MID AND WEST WALES FIRE SERVICES COMBINATION SCHEME

PART V

OFFICERS AND EMPLOYEES OF THE AUTHORITY

23. There shall be transferred—

- (a) to the fire brigade members of the fire brigades maintained by Dyfed, Powys and West Glamorgan county councils, and
- (b) to employment by the Authority persons employed by those councils wholly or mainly for the purposes of the fire brigades maintained by them.

24.—(1) A person to whom this paragraph applies who in consequence of this scheme, or anything done thereunder, suffers direct pecuniary loss by reason of the determination of his appointment or the diminution of his emoluments, shall be eligible for, and entitled to, payment of compensation by the Authority in respect of such loss in the same way as he would be so eligible or entitled if—

- (a) he were an eligible employee or a person referred to in regulation 5 of the Local Government (Compensation for Redundancy) Regulations 1994⁽¹⁾, and the Authority were an employing body or relevant body under those Regulations, or
- (b) he were a person who, having suffered a similar loss in similar circumstances, would be eligible for payment of compensation under any regulations providing for compensation for loss of remuneration made under section 24 of the Superannuation Act 1972⁽²⁾ and in force on 1st April 1996,

as the case may be.

(2) This paragraph applies to a chief officer, deputy chief officer or assistant chief officer of any of the fire brigades maintained by Dyfed, Powys and West Glamorgan county councils.

(3) Notwithstanding the provisions of the Firemen's Pension Scheme 1992 ("the Pension Scheme")⁽³⁾, where the appointment of a person to whom this paragraph applies has been determined as mentioned in sub-paragraph (1) he shall be entitled to the immediate payment of any ordinary pension which has accrued to him under rule B1 of the Pension Scheme if, by 1st April 1996—

- (a) he has attained the age of 50, and
- (b) he has, as a member of a fire brigade maintained under the 1947 Act, accrued a minimum of 5 years service which is reckonable for the purposes of the said rule.

(4) Notwithstanding the provisions of the Pension Scheme, where a person to whom this paragraph applies suffers diminution of his emoluments as mentioned in sub-paragraph (1) his average pensionable pay may, for the purpose of determining any award under the Pension Scheme and if the Authority so decides, be adjusted as if he had been issued with a certificate under paragraph 4 of Schedule D1 to the Local Government Pension Scheme Regulations 1995⁽⁴⁾ to the effect that he had suffered a material reduction in remuneration.

25. The following provisions of the Local Government Act 1972, namely sections 114, 115, 116, 117(1), (2) and (3), 118 and 119, shall apply to the officers and employees of the Authority as if

(1) [S.I. 1994/3025](#).

(2) [1972 c. 11](#).

(3) As set out in Schedule 2 to the Firemen's Pension Scheme Order 1992 ([S.I. 1992/129](#)).

(4) [S.I. 1995/1019](#).

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references in those provisions to a local authority, other than references to a community council, were references to the Authority.