

SCHEDULE 1

AMENDMENT OF THE FIREFIGHTERS' PENSION (WALES) SCHEME

32. For rule E5 (gratuity in lieu of surviving spouse's pension), substitute—

“Gratuity in lieu of surviving spouse's pension

E5.—(1) Where the amount of any pension payable under Part C, together with any increase under the Pensions (Increase) Act 1971, does not exceed £260, or any greater amount prescribed by regulations for the time being in force under section 12C(1) of the Pension Schemes Act 1993⁽¹⁾, the fire and rescue authority may commute the pension for a gratuity.

(2) Where—

- (a) a surviving spouse is entitled to a pension under rule C1 or C2, and
- (b) the fire and rescue authority are satisfied that there are sufficient reasons, and
- (c) the surviving spouse consents,

the fire and rescue authority may commute for a gratuity the pension or so much of it as may be commuted without contravening rule E7.

(3) A fire and rescue authority may under this rule commute a pension for a gratuity only when the pension first becomes payable.

(4) A gratuity under this rule shall be calculated in accordance with such guidance as is provided for the purpose by the Government Actuary.”.

(1) 1993 c. 48. Section 12C was inserted by the Pensions Act 1995 (c. 26), section 136(5).