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SCHEDULE 1

THE NEW FIREFIGHTERS' PENSION SCHEME (WALES)

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ANNEX 2

APPEALS TO BOARD OF MEDICAL REFEREES

4.—(1) As soon as reasonably practicable after referring an appeal to the board, the Assembly must supply the board’s administrator with three copies of every document supplied under paragraph 2(1).

(2) The board must arrange for one of their number to review those documents (“the reviewing member”).

(3) As soon as reasonably practicable after concluding the review, the reviewing member must give written notice to the Assembly—

- (a) of any other information which the reviewing member considers would be desirable for the purpose of enabling the board to determine the appeal, and
- (b) if it be the case, that it is the reviewing member’s opinion that the board may regard the appeal as frivolous, vexatious or manifestly ill-founded.

(4) On receipt of the reviewing member’s notice the Assembly shall —

- (a) where the reviewing member has notified the Assembly of the desirability of obtaining other information, require the authority to use their best endeavours to obtain that information, and
- (b) where the notice contains an opinion of the description mentioned in sub-paragraph (3) (b), send a copy of it to the authority.

(5) An authority which receives a copy of a reviewing member’s opinion must, as soon as reasonably practicable—

- (a) send a copy of it to the appellant, and
- (b) by written notice to the appellant—
 - (i) advise the appellant that, if the appellant’s appeal is unsuccessful, the appellant may be required to pay the authority’s costs, and
 - (ii) require the appellant to notify them within fourteen days of the date of their notice whether the appellant intends to pursue or withdraw the appeal.

(6) An authority which notifies an appellant under sub-paragraph (5)(b) must inform the Assembly of the appellant’s response to their request under paragraph (b)(ii) of that sub-paragraph; and the Assembly must notify the board accordingly.