

SCHEDULE 1

THE NEW FIREFIGHTERS' PENSION SCHEME (WALES)

PART 10

QUALIFYING SERVICE AND PENSIONABLE SERVICE

Reckoning of pensionable service

2.—(1) Subject to paragraph (6), for the purposes of this Scheme, a person's pensionable service accrues as pension contributions are paid, and consists of—

- (a) any period in respect of which the person has paid pension contributions as a member of this Scheme;
 - (b) any period of service taken into account for the purposes of an award under rule 3 (deferred pension) or rule 7 (entitlement to two pensions) of Part 3 where, on again taking up employment with an authority —
 - (i) the person becomes a member of the Scheme; and
 - (ii) in accordance with rule 4 of Part 3 (cancellation of deferred pension), the award under rule 3 or rule 7 is cancelled;
 - (c) any period which the person is entitled to reckon as pensionable service under rule 4 (reckoning of unpaid period of absence) or rule 5 (reckoning of maternity, paternity and adoption leave, etc) of this Part or under any of rules 5 to 9 of Part 11;
 - (d) any period of pensionable service taken into account for the purposes of an ill-health award under rule 2 of Part 3, other than any period included by way of enhancement, where—
 - (i) the award is cancelled under rule 2 of Part 9; and
 - (ii) the person remains a member of this Scheme (whether or not as an employee of the authority which made the award);
 - (e) if the person rejoins this Scheme on again taking up employment with an authority, any period of service as a former member of the Scheme, in respect of which—
 - (i) no pension has been paid;
 - (ii) no refund of pension contributions has been made; and
 - (iii) no transfer value payment has been made; and
 - (f) any period of service credited to the Scheme as pensionable service on acceptance of a transfer into the Scheme under Part 12.
- (2) The pensionable service of a firefighter member may not exceed forty five years.
- (3) A person may not—
- (a) buy additional service if that would increase that person's pensionable service to more than forty years by normal retirement age; or
 - (b) transfer service into the Scheme if the aggregate of—
 - (i) that service,
 - (ii) that person's prospective service to normal retirement age, and
 - (iii) any service already accrued in the Scheme,would exceed forty years by normal retirement age.

Status: This is the original version (as it was originally made).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

(4) Any additional period of service purchased or in the process of being purchased under Part 11 is reckonable as pensionable service; but where only a portion of the pension contributions payable in respect of a period of additional service has been paid, only the equivalent portion of the period is reckonable as pensionable service.

(5) Subject to paragraph (6), an additional period of service purchased or in the process of being purchased under Part 11 is to be taken into account for the purposes of determining—

- (a) the amount of pension payable to the firefighter member or to the firefighter member's survivors; and
- (b) the amount of service a firefighter member has or may accrue in the Scheme.

(6) An additional period of service is not to be taken into account in assessing—

- (a) the amount of the higher tier ill-health pension included in a higher tier ill-health award under Part 3; or
- (b) the amount of a death grant under Part 5.