

## SCHEDULE 1

### THE NEW FIREFIGHTERS' PENSION SCHEME (WALES)

## PART 12

### TRANSFERS INTO AND OUT OF THE SCHEME

#### CHAPTER 4

#### TRANSFERS BETWEEN WELSH AUTHORITIES

##### **Transfer of pension history between Welsh authorities**

**12.**—(1) Subject to paragraph (7), where a firefighter member—

- (a) leaves the employment of a Welsh authority (the firefighter member's "former authority"),
- (b) without a break of service, takes up employment as a firefighter with another Welsh authority (the firefighter member's "new authority"), and
- (c) in that capacity continues to be a member of this Scheme,

the firefighter member's former authority must, not later than six months after the firefighter member left their employment, supply the firefighter member's new authority with a certificate showing the pensionable service the firefighter member was entitled to reckon as at the date on which the firefighter member left the firefighter member's former authority's employment ("the material date").

(2) At the same time as the former authority supply a certificate under paragraph (1), they must send a copy of it to the person concerned, together with a statement of its effect on completion of the transfer.

(3) Subject to paragraph (7), if the person concerned is dissatisfied with the information specified in a certificate under paragraph (1), the person may, within three months after being supplied with a copy of it, ask the former authority to determine the accuracy of the information contained in it.

(4) A person who makes a request under paragraph (3) must send a copy of it to that person's new authority.

(5) A request under paragraph (3) must be considered by means of the arrangements for the resolution of disagreements implemented by the authority pursuant to the requirements of section 50 of the Pensions Act 1995<sup>(1)</sup> (resolution of disputes) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures) Regulations 1996<sup>(2)</sup>; and the authority must either confirm the certificate or issue a new certificate.

(6) If the person concerned does not make a request under paragraph (3), the certificate as supplied, and if the person does make such a request, the certificate as confirmed or the new certificate issued (as the case may be), is conclusive as to the pensionable service the person was entitled to reckon at the material date.

(7) If, after the material date but before a certificate has been supplied under paragraph (1), the person concerned—

- (a) claims a pension or lump sum under this Scheme,
- (b) claims a pension or lump sum under the Compensation Scheme, or
- (c) dies,

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(1) 1995 c. 26.

(2) S.I. 1996/1270.

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

that paragraph ceases to apply.

(8) If an event mentioned in any of sub-paragraphs (a) to (c) of paragraph (7) occurs before the certificate in question has become conclusive, the certificate ceases to have effect and paragraph (3) ceases to apply.

(9) As soon as reasonably practicable after a certificate has become conclusive, the new authority must give effect to it by crediting the person concerned with the pensionable service shown in the certificate.