

SCHEDULE 1

THE NEW FIREFIGHTERS' PENSION SCHEME (WALES)

PART 4

SURVIVORS' PENSIONS

CHAPTER 1

SURVIVING SPOUSES, CIVIL PARTNERS AND NOMINATED PARTNERS

Amount of survivor's pension: general

2.—(1) Subject to rule 3, the amount of a survivor's pension—

- (a) in respect of a firefighter member who satisfies an eligibility condition and dies while employed by an authority, is half of the higher tier ill-health pension to which the member would have been entitled under rule 2(3) of Part 3 had the member retired with the benefit of an ill-health award;
- (b) in any other case, subject to paragraphs (2) and (3), is half of the pension to which the deceased was entitled.

(2) Where a portion of the deceased's pension had been commuted under rule 9 of Part 3, the amount of the survivor's pension is half of the deceased's pension after commutation.

(3) Where the deceased had taken member-initiated early retirement, the amount of the survivor's pension is —

- (a) half of the amount of the pension which the deceased would have received if there had been no actuarial reduction; or
- (b) where a portion of the deceased's pension had been commuted, the amount found by dividing by 2 the product of A and B, where—

A is the amount which the deceased would have received if there had been no actuarial reduction; and

B is the fraction which represents the uncommuted portion of A expressed as a fraction of A.