

SCHEDULE 1

THE NEW FIREFIGHTERS' PENSION SCHEME (WALES)

PART 7

RESERVISTS

Continuity of employment

2.—(1) For the purposes of this Scheme, a reservist must be treated as having continued, throughout the reservist's forces period—

- (a) to be a firefighter; and
- (b) for the purposes of the reservist's pensionable service under Part 10, to be employed by the reservist's former authority.

(2) Where before a reservist's forces period, a reservist had elected to purchase additional service under Chapter 2 of Part 11 by periodical contributions, the reservist's forces period is not reckonable as pensionable service unless the contributions payable in respect of it are paid (whether during the reservist's forces period or, if the authority have agreed that contributions may be discontinued as mentioned in paragraph (2) of rule 8 of Part 11 (discontinuance period not exceeding six months), in accordance with that paragraph).

(3) For the purposes of calculating the amount of a reservist's pension contributions under rule 3 of Part 11—

- (a) the pay that the reservist would have received from the reservist's former authority during the reservist's forces period must be regarded as the reservist's pay for that period (the reservist's "notional pay"); and
- (b) in respect of any period during the reservist's forces period in which the aggregate of—
 - (i) the reservist's actual pay; and
 - (ii) any payments the reservist receives under section 4 of the 1996 Actis less than the reservist's notional pay for that first-mentioned period,

the reservist must be treated as having no pensionable pay (and, accordingly, no liability to make pension contributions)(1).

(1) See, as to pension payments, regulation 5 of the Reserve Forces (Call-out and Recall)(Financial Assistance) Regulations 2005 (S.I. 2005/859).