
WELSH STATUTORY INSTRUMENTS

2007 No. 1073

The Firefighters' Compensation Scheme (Wales) Order 2007

General transitional provision

3.—(1) Where—

- (a) a provision of the Compensation Scheme (“the new provision”) re-enacts a provision of the Pension Scheme (“the older provision”) with any modification, and
- (b) a person to whom a protected benefit was being paid or might become payable is placed in a worse position than he would have been in if the old provision had continued to have effect,

he may, by giving written notice to the fire and rescue authority liable or prospectively liable for payment of the benefit, elect that the new provision is to apply in relation to the benefit as if it had re-enacted the old provision without modification.

(2) Notice under paragraph (1) must be given not later than 28 June 2007.

(3) For the purposes of paragraph (1), a protected benefit is one paid, or capable of becoming payable, to or in respect of a person who, before 1 April 2006, ceased to be a member of the fire and rescue service, or died.