

## SCHEDULE 1

### AMENDMENT OF THE FIREFIGHTERS' PENSION (WALES) SCHEME (WALES ONLY)

#### 62. In Schedule 2 (personal awards)(1)—

- (a) for Part III (ill-health pension), substitute—

### “PART III

#### ILL-HEALTH PENSION

1.—(1) Paragraphs 2 to 5 have effect subject to Parts VIA, VII and VIII of this Schedule.

(2) Where the person concerned has the role of Station Manager B or a superior role, any calculation relevant for the purposes of this Part shall be made as if his normal pension age were 60.

2. Subject to paragraph 3, the amount of a lower tier ill-health pension, is an amount equal to that which the person concerned would have received if his employment had ceased in circumstances in which he would have been entitled to immediate payment of a deferred pension (calculated in accordance with Part VI of this Schedule).

3. Where the person concerned has less than 5 years' pensionable service, the amount of the lower tier ill-health pension is that found by applying the formula—

$$(A \times B) \div 60,$$

where—

A is the person's average pensionable pay; and

B is the greater of one year and the period in years of his pensionable service.

4.—(1) The amount of a person's higher tier ill-health pension is the amount determined by deducting from the amount ascertained in accordance with sub-paragraph (2) or paragraph 5, as his circumstances require, the amount of his lower-tier ill-health pension.

(2) The amount referred to in sub-paragraph (1) as to be ascertained in accordance with this sub-paragraph is—

- (a) if the person concerned has at least 5 but not more than 10 years' pensionable service, the amount found by applying the formula—

$$(2 \times A \times C) \div 60,$$

where—

A is the person's average pensionable pay; and

C is the period in years of his pensionable service; or

- (b) if the person concerned has more than 10 years' pensionable service, the greater of the amounts found by applying the formulae—

$$\{(20 \times A) \div 60\}; \text{ and } \{(7 \times A \div 60) + (A \times D \div 60) + (2 \times A \times E \div 60)\},$$

where—

A is the person's average pensionable pay;

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(1) Schedule 2 was amended by S.I.2006/1672 Sch 1, para. 82.

**Status:** This is the original version (as it was originally made).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

D is the period in years of his pensionable service up to and including 20 years,

and

E is the period in years by which his pensionable service exceeds 20 years.

5.—(1) Where—

- (a) if the person had continued to serve until he reached normal pension age, he would have become entitled to an ordinary or short service pension (“the notional retirement pension”), and
- (b) the amount ascertained in accordance with paragraph 4(2) exceeds the amount of the notional retirement pension,

the amount referred to in paragraph 4(1) as to be ascertained in accordance with this paragraph is that of the notional retirement pension.

(2) The notional retirement pension is to be calculated by reference to the person’s actual average pensionable pay.”;

- (b) omit Parts IV (short service or ill-health gratuity) and V (injury awards);
- (c) in Part VIA (calculation of awards for part-time service), in paragraph 1, omit subparagraphs (d) and (e); and
- (d) in Part VII (reduction of pension at state pensionable age) omit paragraph 4.