
WELSH STATUTORY INSTRUMENTS

2015 No. 622

The Firefighters' Pension Scheme (Wales) Regulations 2015

PART 7

Benefits for pension credit members

Entitlement to pension credit members' pension

114.—(1) A pension credit member (P) of this scheme is entitled to the immediate payment of a pension credit member's pension under this scheme if—

- (a) P has reached deferred pension age;
- (b) the pension sharing order under which P is entitled to the pension credit has taken effect; and
- (c) P has claimed payment of the pension.

(2) If P is entitled to two or more pension credits, P is entitled to a pension credit member's pension in respect of each pension credit.

Annual rate of pension credit member's pension

115. The annual rate of a pension credit member's pension is calculated by—

- (a) taking the amount of credited pension specified in the pension credit member's account; and
- (b) subtracting the commutation amount (if any) specified in that account in relation to that amount.

Reduction in pension debit member's benefits

116. The benefits to which a pension debit member is entitled under these Regulations are subject to the reduction of the relevant amount calculated in accordance with regulation 63 (establishment of pension credit member's account).

Pension credit member's rights

117. Benefits that are attributable (directly or indirectly) to a pension credit may not be aggregated with any other benefit to which the pension credit member is entitled under this scheme.

Commutation of part of pension

118.—(1) A pension credit member who becomes entitled to payment of a pension credit member's pension under this scheme may opt to exchange part of the pension for a lump sum.

(2) The option may only be exercised by notice—

- (a) to the scheme manager not earlier than four months before the later of—

- (i) the date on which the pension sharing order comes into effect, and
 - (ii) the date on which the person attains deferred pension age;
- (b) in such form as the scheme manager requires; and
- (c) given before the first payment of the pension is made.
- (3) If a pension credit member exercises the option under this regulation, for every £1 by which the amount of the member's annual rate of pension is reduced, the member is to be paid a lump sum of £12.
- (4) The commuted portion must not exceed one quarter of the amount of the pension credit member's pension.
- (5) A pension credit member may not exchange pension for a lump sum under this regulation to the extent that it would result in a scheme chargeable payment for the purposes of Part 4 (pension scheme etc.) of FA 2004 (see section 241 of that Act).
- (6) This regulation does not apply if the pension debit member from whose rights the pension is derived received a lump sum under Part 5 (retirement benefits) before the date on which the pension sharing order takes effect.