
WELSH STATUTORY INSTRUMENTS

2015 No. 622

The Firefighters' Pension Scheme (Wales) Regulations 2015

PART 8

Contributions

CHAPTER 3

Employer contributions

Refund of employer additional contribution for ill health award following review

128.—(1) Subject to paragraph (2), where the scheme manager has considered the entitlement of a member (P) to an ill-health award under regulation 77 (review of ill-health award or early payment of retirement pension) and as a consequence of that review the entitlement of P to either a higher tier ill-health pension or a lower tier ill-health pension has ceased, or the entitlement of P to both pensions has ceased, the scheme manager must pay the amount specified in paragraph (3) or (5), as the case may be, to the employer.

(2) Where the employer has paid all the instalments of higher tier ill-health additional contributions required by regulation 127 (employer additional contribution: ill-health award), the scheme manager is not required to pay the employer the amount mentioned in paragraph (3).

(3) Where P, as a result of a review under regulation 77 (review of ill-health award or early payment of retirement pension), ceases to be entitled to a higher tier ill-health pension and remains entitled to a lower tier ill-health pension, the scheme manager must pay to the employer an amount equal to the difference between the instalments of higher tier ill-health additional contribution which have been paid under regulation 127(1) (employer additional contribution: ill-health award) and the instalments of the lower tier ill-health additional contribution which would have been required to be paid under regulation 127(3) (employer additional contribution: ill-health award) if only the lower tier ill-health pension had been payable (“the notional payment”).

(4) The scheme manager must determine the amount of the notional payment payable under paragraph (3).

(5) Where P, as a result of a review under regulation 77 (review of ill-health award or early payment of retirement pension), ceases to be entitled to a higher tier ill health pension and to a lower tier ill-health pension or to a lower tier ill-health pension, as the case may be, and the employer has not paid all the instalments of higher tier ill-health additional contribution or lower tier ill-health additional contribution as required by regulation 127 (employer additional contribution: ill-health award), the scheme manager must repay to the employer any instalments of higher tier ill-health additional contribution or lower tier ill-health additional contribution, as the case may be, which have been paid in respect of P and no further instalments will be due in respect of P.