
WELSH STATUTORY INSTRUMENTS

2016 No. 1136 (W. 274)

**FIRE AND RESCUE SERVICES, WALES
PENSIONS, WALES**

**The Firefighters' Pension (Wales) Scheme
(Amendment and Transitional Provisions) Order 2016**

<i>Made</i>	- - - -	<i>22 November 2016</i>
<i>Laid before the National</i>		
<i>Assembly for Wales</i>	- -	<i>25 November 2016</i>
<i>Coming into force</i>	- -	<i>31 December 2016</i>

The Welsh Ministers, in exercise of the powers conferred upon the Secretary of State by section 26(1) to (5) of the Fire Services Act 1947⁽¹⁾ and section 12 of the Superannuation Act 1972⁽²⁾ as applied by section 16(3)⁽³⁾ of that Act, and now vested in them⁽⁴⁾, make the following Order.

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- (1) 1947 c. 41, repealed by section 52 of, and Schedule 2 to, the Fire and Rescue Services Act 2004 (c. 21). Subsections (1) to (5) of section 26 continue to have effect, in relation to Wales, for the purposes of the scheme established under that section as the Firemen's Pension Scheme and set out in the Firemen's Pension Scheme Order 1992 (S.I. 1992/129), by virtue of article 3 of S.I. 2004/2918 (W. 257). By article 4 of that instrument the name of the scheme as it has effect in Wales was changed to the Firefighters' Pension (Wales) Scheme. Section 26 of the Fire Services Act 1947 was amended by section 1 of the Fire Services Act 1951 (c. 27), section 42 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65), section 33 of, and Schedule 3 to, the Theft Act 1968 (c. 60), sections 16 and 29 of, and Schedule 8 to, the Superannuation Act 1972 (c. 11), sections 100 and 101 of, and Schedule 27 to, the Social Security Act 1973 (c. 38), section 1 of, and Schedule 1 to, the Social Security (Consequential Provisions) Act 1975 (c. 18), section 32 of the Magistrates' Courts Act 1980 (c. 43), section 1 of the Police and Firemen's Pensions Act 1997 (c. 52), section 256 of, and Schedule 25 to, the Civil Partnership Act 2004 (c. 33), and by S.I. 1976/551.
- (2) 1972 c. 11; section 12 was amended by the Pensions (Miscellaneous Provisions) Act 1990 (c. 7).
- (3) Section 16 was repealed by section 52 of, and Schedule 2 to, the Fire and Rescue Services Act 2004 but continues to have effect, in relation to Wales, by virtue of article 3(2) of the Fire and Rescue Services Act 2004 (Firefighters' Pension Scheme) (Wales) Order 2004 (S.I. 2004/2918 (W. 257)).
- (4) For the purposes of the Firefighters' Pension (Wales) Scheme, section 26(1) to (5) have effect as if for each reference to the "Secretary of State" there were substituted a reference to the "National Assembly for Wales"; see article 2 of S.I. 2006/1672 (W. 160). By virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32) the Assembly's functions under section 26 of the Fire Services Act 1947 are now vested in the Welsh Ministers so far as they are exercisable in relation to Wales.