
WELSH STATUTORY INSTRUMENTS

2015 No. 848

**The Firefighters' Pension Scheme (Wales)
(Consequential Provisions) Regulations 2015**

PART 4

Modification of tax regime

Lifetime allowance charge

- 13.**—(1) This regulation applies to a person (P) who—
- (a) is a member of an old scheme whether by virtue of pensionable service for that scheme or deemed transfer scheme service under paragraph 2 of Schedule 7 to the 2013 Act (final salary link);
 - (b) is a member of the new scheme by virtue of pensionable service for the new scheme;
 - (c) is being paid an upper or a lower tier ill-health pension under regulation 74 (entitlement to lower tier ill-health pension and higher tier ill-health pension) of the Firefighters' Pension Scheme (Wales) Regulations 2015; and
 - (d) has an ill-health pension paid from the new scheme reduced as a consequence of P becoming entitled to payment of a scheme pension (within the meaning of paragraph 2 of Schedule 28 to the Finance Act 2004⁽¹⁾) under the old scheme.
- (2) Section 216 of the Finance Act 2004⁽²⁾ (benefit crystallisation events and amounts crystallised) is modified in its application to P as specified in paragraph (3).
- (3) The payment of any scheme pension from the old scheme to P is treated as if it was not a benefit crystallisation event within the meaning of section 216 of the Finance Act 2004.

(1) 2004 c. 12. Paragraph 2 was amended by sections 101 and 104 of, and paragraph 11 of Schedule 10 and Part 4 of Schedule 11 to, the Finance Act 2005 (c. 7); by section 161 of, and paragraph 20 of Schedule 23 to, the Finance Act 2006 (c. 25); by section 70 of, and paragraph 7 of Schedule 20 to, the Finance Act 2007 (c. 11); by section 51 of the Finance Act 2013 (c. 29); and by S.I. 2007/493.

(2) Section 216 was amended by section 101 of, and paragraphs 1 and 31 of Schedule 10 to, the Finance Act 2005 (c. 7); section 161 of, and paragraphs 1 and 30 of Schedule 23 to, the Finance Act 2006 (c. 25); by section 92 of, and paragraphs 1, 4 and 5 of Schedule 29 to, the Finance Act 2008 (c. 9); and by section 65 of, and paragraphs 43, 62 and 73 of Schedule 16 to, the Finance Act 2011 (c. 11).