



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2022 Rhif 343 (Cy. 85)

2022 No. 343 (W. 85)

**PENSIYNAU
GWASANAETHAU
CYHOEDDUS, CYMRU**

**PUBLIC SERVICE PENSIONS,
WALES**

**Rheoliadau Cynllun Pensiwn y
Diffoddwyr Tân (Cymru)
(Diwygio) 2022**

**The Firefighters' Pension Scheme
(Wales) (Amendment) Regulations
2022**

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn yn gwneud darpariaeth sy'n ganlyniadol i Ddeddf Pensiynau'r Gwasanaethau Cyhoeddus a Swyddi Barnwrol 2022 er mwyn trosglwyddo holl aelodau Cynllun Pensiwn y Dynion Tân (Cymru) ("Cynllun 1992") a Chynllun Pensiwn Newydd y Diffoddwyr Tân (Cymru) ("Cynllun 2007") i Gynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015 ("Cynllun 2015") o 1 Ebrill 2022.

These Regulations make provision consequential on the Public Service Pensions and Judicial Offices Act 2022 to transfer all members of the Firefighters' Pension (Wales) Scheme ("the 1992 Scheme") and the New Firefighters' Pension Scheme (Wales) ("the 2007 Scheme") to the Firefighters' Pension Scheme (Wales) 2015 ("the 2015 Scheme") from 1 April 2022.

Mae'r Rheoliadau hyn yn diwygio Rheoliadau Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015 sy'n nodi Cynllun 2015.

These Regulations amend the Firefighters' Pension Scheme (Wales) Regulations 2015 which set out the 2015 Scheme.

Mae rheoliadau 2 i 5 yn gwneud darpariaeth mewn perthynas ag aelodau Cynllun 1992 sy'n trosglwyddo i Gynllun 2015 ar 1 Ebrill 2022, pan fo awdurdod tân ac achub yng Nghymru wedi penderfynu, cyn trosglwyddo, cael barn ysgrifenedig gan ymarferydd iechyd cymwysedig annibynnol o ran dyfarniad afiechyd posibl. Os penderfynir yn ddiweddarach bod dyfarniad afiechyd yn daladwy, yna gwneir darpariaeth i'r dyfarniad fod o leiaf yn hafal i'r dyfarniad hwnnw y byddai'r aelod wedi ei gael pe bai'r penderfyniad ar ei ddyfarniad afiechyd wedi ei wneud o dan Gynllun 1992 ar 31 Mawrth 2022.

Regulations 2 to 5 make provision in relation to members of the 1992 Scheme who transfer to the 2015 Scheme on 1 April 2022, where a fire and rescue authority in Wales had decided prior to transfer, to obtain the written opinion of an independent qualified medical practitioner in regard to a potential ill-health award. If it is subsequently decided that an ill-health award is payable then provision is made for the award to be at least equal to that which the member would have received had the decision on their ill-health award been made under the 1992 Scheme on 31 March 2022.

Mae rheoliad 6(2)(a) yn darparu mai'r diffiniad o "dyddiad cau" yn Atodlen 2 (sef diwrnod olaf aelodaeth o Gynllun 1992 neu Gynllun 2007) yw 31 Mawrth 2022 ar gyfer aelodau a ddiogelir yn llawn.

Mae rheoliad 6(2)(b) yn diwygio'r diffiniad o "dyddiad trosiant" yn Atodlen 2 er mwyn pennu mai diwrnod cyntaf aelodaeth o Gynllun 2015 yw 1 Ebrill 2022 ar gyfer aelodau a ddiogelir yn llawn.

Mae rheoliad 6(3) yn cael gwared ar y pŵer i reolwyr cynllun bennu dyddiad dod i ben ar gyfer diogelwch taprog ar ôl 31 Mawrth 2022, ac yn pennu bod rhaid i bob cyfnod o ddiogelwch taprog ddod i ben ar y dyddiad hwn neu cyn hynny.

Mae rheoliad 6(4) yn ganlyniadol i reoliad 2(2)(a) ac mae'n darparu y bydd aelodau a ddiogelir yn llawn o Gynllun 1992 neu Gynllun 2007 yn peidio â bod yn aelodau o'r cynlluniau hynny ar 31 Mawrth 2022.

Mae rheoliad 6(5) yn diwygio paragraff 31(2) o Atodlen 2 fel na chaniateir gwneud unrhyw ddewisiadau newydd i brynu gwasanaeth ychwanegol o dan Gynllun 2007 ar ôl 31 Mawrth 2022.

Mae rheoliad 6(6) yn hepgor paragraffau 37 a 38 o Atodlen 2 fel bod aelodau sy'n aros am benderfyniad ynghylch a oes hawl ganddynt i gael dyfarniad afiechyd o dan Gynllun 1992 neu Gynllun 2007 ar 1 Ebrill 2022 yn cael eu trosi i Gynllun 2015 ar y dyddiad hwnnw.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

Regulation 6(2)(a) provides that the definition of "closing date" in Schedule 2 (which is the last day of membership of the 1992 Scheme or 2007 Scheme) is 31 March 2022 for fully protected members.

Regulation 6(2)(b) amends the definition of "transition date" in Schedule 2 to stipulate that the first day of membership of the 2015 Scheme is 1 April 2022 for fully protected members.

Regulation 6(3) removes the power for scheme managers to set an end date for tapered protection after 31 March 2022, and stipulates that all periods of tapered protection are to end on or before this date.

Regulation 6(4) is consequential on regulation 2(2)(a) and provides that fully protected members of the 1992 Scheme or 2007 Scheme cease to be members of those schemes on 31 March 2022.

Regulation 6(5) amends paragraph 31(2) of Schedule 2 so that no new elections to purchase additional service under the 2007 Scheme may be made after 31 March 2022.

Regulation 6(6) omits paragraphs 37 and 38 of Schedule 2 so that members who are awaiting a decision on whether they are entitled to an ill-health award under the 1992 Scheme or the 2007 Scheme on 1 April 2022 are transitioned to the 2015 Scheme on that date.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

2022 Rhif 343 (Cy. 85)

**PENSIYNAU
GWASANAETHAU
CYHOEDDUS, CYMRU**

**Rheoliadau Cynllun Pensiwn y
Diffoddwyr Tân (Cymru)
(Diwygio) 2022**

Gwnaed 21 Mawrth 2022
Gosodwyd gerbron Senedd Cymru 22 Mawrth 2022
Yn dod i rym 30 Mawrth 2022

Mae Gweinidogion Cymru yn gwneud y Rheoliadau hyn drwy arfer y pwerau a roddir gan adrannau 1(1) a (2)(f), 2(1)(1) a 3(1), (2)(c) a (3)(a) o Ddeddf Pensiynau'r Gwasanaethau Cyhoeddus 2013 ("Deddf 2013")(2).

Yn unol ag adran 21 o Ddeddf 2013(3), mae Gweinidogion Cymru wedi ymgynghori â'r personau hynny (neu â chynrychiolwyr y personau hynny) y mae'n ymddangos yn debygol i Weinidogion Cymru y bydd y Rheoliadau hyn yn effeithio arnynt.

Yn unol ag adran 3(5) o Ddeddf 2013, gwneir y Rheoliadau hyn gyda chydysyniad y Trysorlys.

Enwi a chychwyn

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Cynllun Pensiwn y Diffoddwyr Tân (Cymru) (Diwygio) 2022.

- (1) Gweler hefyd baragraff 6(b) o Atodlen 2.
(2) 2013 p. 25. Diwygiwyd adran 3 gan adran 94(2) i (6) o Ddeddf Pensiynau'r Gwasanaethau Cyhoeddus a Swyddi Barnwrol 2022 p. 7.
(3) Diwygiwyd adran 21 gan adran 94(8) o Ddeddf Pensiynau'r Gwasanaethau Cyhoeddus a Swyddi Barnwrol 2022.

2022 No. 343 (W. 85)

**PUBLIC SERVICE PENSIONS,
WALES**

**The Firefighters' Pension Scheme
(Wales) (Amendment) Regulations
2022**

Made 21 March 2022
Laid before Senedd Cymru 22 March 2022
Coming into force 30 March 2022

The Welsh Ministers make these Regulations in exercise of the powers conferred by sections 1(1) and (2)(f), 2(1)(1) and 3(1), (2)(c) and (3)(a) of the Public Service Pensions Act 2013 ("the 2013 Act")(2).

In accordance with section 21 of the 2013 Act(3), the Welsh Ministers have consulted such persons (or the representatives of such persons) as appear to the Welsh Ministers likely to be affected by these Regulations.

In accordance with section 3(5) of the 2013 Act, these Regulations are made with the consent of the Treasury.

Title and commencement

1.—(1) The title of these Regulations is the Firefighters' Pension Scheme (Wales) (Amendment) Regulations 2022.

- (1) See also paragraph 6(b) of Schedule 2.
(2) 2013 c. 25. Section 3 was amended by section 94(2) to (6) of the Public Service Pensions and Judicial Offices Act 2022 c. 7.
(3) Section 21 was amended by section 94(8) of the Public Service Pensions and Judicial Offices Act 2022.

(2) Daw'r Rheoliadau hyn i rym ar 30 Mawrth 2022.

(3) Yn y Rheoliadau hyn, ystyr "Rheoliadau 2015" yw Rheoliadau Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015(1).

Diwygiadau i Reoliadau Cynllun Pensiwn y Diffoddwyr Tân (Cymru) 2015

2.—(1) Mae rheoliad 74 (hawlogaeth i bensiwn afiechyd haen isaf a phensiwn afiechyd haen uchaf) o Reoliadau 2015 wedi ei ddiwygio fel a ganlyn.

(2) Ar ôl paragraff (1) mewnosoder—

"(1A) Mae paragraff (1) wedi ei fodloni, ac mae gan aelod actif hawl i gael taliad ar unwaith o bensiwn afiechyd haen isaf o dan baragraff (1), pan fo paragraff (2B) yn gymwys ac y gwneir penderfyniad yn ddiweddarach o dan baragraff (2C) y byddai'r aelod wedi bod â'r hawl i bensiwn afiechyd haen isaf o dan Gynllun 1992(2) oni bai am iddo gael ei drosglwyddo i'r cynllun hwn."

(3) Ar ôl paragraff (2) mewnosoder—

"(2A) Mae paragraff (2) wedi ei fodloni, ac mae gan aelod actif hawl i gael taliad ar unwaith o bensiwn afiechyd haen uchaf o dan baragraff (2), pan fo paragraff (2B) yn gymwys ac y gwneir penderfyniad yn ddiweddarach o dan baragraff (2C) y byddai'r aelod wedi bod â'r hawl i bensiwn afiechyd haen uchaf o dan Gynllun 1992 oni bai am iddo gael ei drosglwyddo i'r cynllun hwn.

(2B) Mae'r paragraff hwn yn gymwys—

- (a) pan fo, cyn 1 Ebrill 2022, yr awdurdod wedi penderfynu cael barn ysgrifenedig gan ymarferydd meddygol cymwysedig annibynnol o dan reol H1 (penderfyniad gan awdurdod tân) o Gynllun 1992 ynglŷn ag a yw aelod o'r cynllun hwnnw yn anabl yn barhaol, neu'n abl i ymgymryd â chyflogaeth reolaidd, cyn penderfynu a oes hawl gan yr aelod i gael dyfarniad afiechyd o dan reol B3 (dyfarniadau afiechyd) o Gynllun 1992, a

(2) These Regulations come into force on 30 March 2022.

(3) In these Regulations, "the 2015 Regulations" means the Firefighters' Pension Scheme (Wales) Regulations 2015(1).

Amendments to the Firefighters' Pension Scheme (Wales) Regulations 2015

2.—(1) Regulation 74 (entitlement to lower tier ill-health pension and higher tier ill-health pension) of the 2015 Regulations is amended as follows.

(2) After paragraph (1) insert—

"(1A) Paragraph (1) is met, and an active member is entitled to immediate payment of a lower tier ill-health pension under paragraph (1), where paragraph (2B) applies and a determination under paragraph (2C) is subsequently made that the member would have been entitled to a lower tier ill-health pension under the 1992 Scheme(2) but for being transferred to this scheme."

(3) After paragraph (2) insert—

"(2A) Paragraph (2) is met, and an active member is entitled to immediate payment of a higher tier ill-health pension under paragraph (2), where paragraph (2B) applies and a determination under paragraph (2C) is subsequently made that the member would have been entitled to a higher tier ill-health pension under the 1992 Scheme but for being transferred to this scheme.

(2B) This paragraph applies where—

- (a) prior to 1 April 2022 the authority has decided to obtain the written opinion of an independent qualified medical practitioner under rule H1 (determination by fire authority) of the 1992 Scheme concerning whether a member of that scheme is permanently disabled or able to undertake regular employment before making a determination as to whether the member is entitled to an ill-health award under rule B3 (ill-health awards) of the 1992 Scheme, and

(1) O.S. 2015/622 (Cy. 50); yr offerynnau diwygio perthnasol yw O.S.au 2015/1016 (Cy. 71) a 2018/576 (Cy. 103).

(2) O.S. 1992/129; a ddiwygiwyd gan O.S.au 1997/2309 a 2851, 1998/1010, 2001/3649 a 3691, 2004/1912 a 2918 (Cy. 257), 2006/1672 (Cy. 160), 2007/1074 (Cy. 112), 2009/1226 (Cy. 109), 2010/234, 2013/736 (Cy. 88), 2014/522 (Cy. 63) a 3242 (Cy. 329), 2014/560, 2015/1016 (Cy. 71), 2018/577 (Cy. 104) a 2020/1511 (Cy. 323) a 354.

(1) S.I. 2015/622 (W. 50); relevant amending instruments are S.I.s 2015/1016 (W. 71) and 2018/576 (W. 103).

(2) S.I. 1992/129; amended by S.I.s 1997/2309 and 2851, 1998/1010, 2001/3649 and 3691, 2004/1912 and 2918 (W. 257), 2006/1672 (W. 160), 2007/1074 (W. 112), 2009/1226 (W. 109), 2010/234, 2013/736 (W. 88), 2014/522 (W. 63) and 3242 (W. 329), 2014/560, 2015/1016 (W. 71), 2018/577 (W. 104) and 2020/1511 (W. 323) and 354.

(b) pan nad yw penderfyniad yr awdurdod wedi ei wneud cyn 1 Ebrill 2022.

(2C) Pan fo paragraff (2B) yn gymwys rhaid i'r rheolwr cynllun benderfynu ai pensiwn afiechyd haen isaf ynteu pensiwn afiechyd haen uchaf, neu'r ddau, a fyddai wedi bod yn daladwy o dan reol B3 (dyfarniadau afiechyd) o Gynllun 1992 ar 31 Mawrth 2022 pe bai'r penderfyniad y cyfeirir ato ym mharagraff (2B)(b) wedi ei wneud ar 31 Mawrth 2022. Mae Rhan 12 (penderfyniadau ac apelau) o'r cynllun hwn yn gymwys i benderfyniad y rheolwr cynllun o dan y paragraff hwn."

3.—(1) Mae rheoliad 75 (cyfradd flynyddol dyfarniadau afiechyd) o Reoliadau 2015 wedi ei ddiwygio fel a ganlyn.

(2) Ar ôl paragraff 3A mewnosoder—

“(3B) Pan fo rheoliad 74(2B) yn gymwys a'r penderfyniad yn rheoliad 74(2C) yw y byddai pensiwn afiechyd haen isaf neu bensiwn afiechyd haen uchaf wedi bod yn daladwy ar 31 Mawrth 2022, rhaid i'r rheolwr cynllun—

- (a) cyfrifo cyfradd flynyddol y pensiwn afiechyd haen isaf ac (os yw'n gymwys) y pensiwn afiechyd haen uchaf a fyddai wedi bod yn daladwy o dan baragraffau (2) a (3) fel pe na bai rheoliad 74(2B) yn gymwys;
- (b) cyfrifo cyfradd flynyddol y pensiwn afiechyd haen isaf ac (os yw'n gymwys) y pensiwn afiechyd haen uchaf a fyddai wedi bod yn daladwy i'r aelod ar 31 Mawrth 2022 o dan Reol B3 (dyfarniadau afiechyd) o Gynllun 1992; ac
- (c) pan fo'r cyfanswm a gyfrifir o dan is-baragraff (b) yn fwy na'r cyfanswm a gyfrifir o dan is-baragraff (a), addasu'r cyfraddau blynyddol sy'n daladwy o dan baragraff (2) a (3) i'r rheini a gyfrifir o dan is-baragraff (b).

(3C) Mae rheoliadau 77 (adolygu dyfarniad afiechyd neu daliad o bensiwn ymddeol yn gynnar) a 78 (canlyniadau adolygu) yn gymwys i unrhyw symiau sy'n daladwy o ganlyniad i reoliad 75(3B)(c).

(3D) Pan fo rheoliad 74 (2B) yn gymwys, ar ôl i ddyfarniad afiechyd ddod yn daladwy o dan y cynllun hwn, os gwneir taliad gwerth trosglwyddiad o dan reol F9 (talu gwerthoedd trosglwyddo) o Gynllun 1992 mewn cysylltiad â hawliau'r aelod o dan y cynllun hwnnw a bod y trosglwyddiad yn ymwneud â chyfnod o wasanaeth sydd wedi ei gynnwys fel

(b) the authority's determination has not been made prior to 1 April 2022.

(2C) Where paragraph (2B) applies the scheme manager must determine whether a lower tier ill-health pension or a higher tier ill-health pension, or both, would have been payable under rule B3 (ill-health awards) of the 1992 Scheme on 31 March 2022 had the determination referred to in paragraph (2B)(b) been made on 31 March 2022. Part 12 (determinations and appeals) of this scheme applies to the determination of the scheme manager made under this paragraph."

3.—(1) Regulation 75 (annual rate of ill-health awards) of the 2015 Regulations is amended as follows.

(2) After paragraph (3A) insert—

“(3B) Where regulation 74(2B) applies and the determination in regulation 74(2C) is that a lower tier ill-health pension or a higher tier ill-health pension would have been payable on 31 March 2022, the scheme manager must—

- (a) calculate the annual rate of lower tier ill-health pension and (if applicable) higher tier ill-health pension that would be payable under paragraphs (2) and (3) as if regulation 74(2B) did not apply;
- (b) calculate the annual rate of lower tier ill-health pension and (if applicable) higher tier ill-health pension that would have been payable to the member as at 31 March 2022 under rule B3 (ill-health awards) of the 1992 Scheme; and
- (c) where the combined amount calculated under sub-paragraph (b) exceeds the combined amount calculated under sub-paragraph (a) adjust the annual rates payable under paragraph (2) and (3) to those calculated under sub-paragraph (b).

(3C) Regulations 77 (review of ill-health award or early payment of retirement pension) and 78 (consequences of review) apply to any amounts payable as a result of regulation 75(3B)(c).

(3D) Where regulation 74(2B) applies if, after an ill-health award becomes payable under this scheme, a transfer value payment is made under rule F9 (payment of transfer values) of the 1992 Scheme in respect of the member's rights under that scheme and the transfer relates to a period of service included as qualifying service in relation to that member's retirement account,

gwasanaeth cymwys mewn perthynas â chyfrif ymdeol yr aelod hwnnw, rhaid i reolwr y cynllun ddiwyddu o swm y dyfarniad afiechyd swm mewn cysylltiad â gwasanaeth yng Nghynllun 1992 sy'n hafal i'r gwerth a gynrychiolir gan y taliad gwerth trosglwyddo hwnnw.”

4.—(1) Mae rheoliad 80 (opsiwn i gymudo rhan o'r pensiwn) o Reoliadau 2015 wedi ei ddiwygio fel a ganlyn.

(2) Ar ôl paragraff (5) mewnosoder—

“(5A) Mae'r rheoliad hwn yn gymwys i aelod sy'n cael cynnydd mewn dyfarniad afiechyd o ganlyniad i reoliad 75(3B)(c) ac eithrio nad yw paragraffau (3) a (4) yn gymwys a'r cyfandaliad sy'n daladwy yw'r cyfandaliad hwnnw a gyfrifir yn unol â rheol B7 (cymudo – darpariaeth gyffredinol) o Gynllun 1992.”

5.—(1) Mae rheoliad 162 (rôl YMCA mewn penderfyniadau gan y rheolwr cynllun) o Reoliadau 2015 wedi ei ddiwygio fel a ganlyn.

(2) Ym mharagraff 2(b) yn lle “neu'r oedran pensiwn gohiriedig”, rhodder “, yr oedran pensiwn gohiriedig neu pan fo rheoliad 74(2B) (hawlogaeth i bensiwn afiechyd haen isaf a phensiwn afiechyd haen uchaf) yn gymwys, unrhyw oedran arall a bennir gan y rheolwr cynllun,”

6.—(1) Mae Atodlen 2 (darpariaethau trosiannol) i Reoliadau 2015 wedi ei diwygio fel a ganlyn.

(2) Ym mharagraff 1 (dehongli)—

(a) yn y diffiniad o “dyddiad cau”, ym mharagraff (c), yn lle “aelod hwnnw, neu” hyd at y diwedd rhodder—

“aelod hwnnw,

(i) os yw'r aelod yn aelod diogelwch llawn o Gynllun 1992 neu o CPNDT, 31 Mawrth 2022, neu

(ii) os nad yw'r aelod yn aelod a ddiogelir o un o'r cynlluniau hynny, dyddiad cau'r cynllun;”;

(b) yn y diffiniad o “dyddiad trosiant”, yn lle “aelod hwnnw, a” hyd at y diwedd rhodder—

“aelod hwnnw,

(a) os yw'r aelod yn aelod diogelwch llawn o Gynllun 1992 neu o CPNDT, 1 Ebrill 2022, ac

(b) os nad yw'r aelod yn aelod a ddiogelir o Gynllun 1992 neu o CPNDT, y diwrnod ar ôl dyddiad cau'r cynllun, neu, os yw'n ddiweddarach, y diwrnod y peidiodd y person â bod yn aelod a ddiogelir o'r cynllun hwnnw.”

the scheme manager must deduct from the amount of ill-health award an amount in respect of service in the 1992 Scheme which is equal to the value represented by that transfer value payment.”

4.—(1) Regulation 80 (option to commute part of pension) of the 2015 Regulations is amended as follows.

(2) After paragraph (5) insert—

“(5A) This regulation applies to a member who receives an increase in ill-health award as a result of regulation 75(3B)(c) save that paragraphs (3) and (4) do not apply and the lump sum payable is that calculated in accordance with rule B7 (commutation - general provision) of the 1992 Scheme.”

5.—(1) Regulation 162 (role of IQMP in determinations by the scheme manager) of the 2015 Regulations is amended as follows.

(2) In paragraph 2(b) for “or deferred pension age,” substitute “, deferred pension age or where regulation 74(2B) (entitlement to lower tier ill-health pension and higher tier ill-health pension) applies such other age as specified by the scheme manager,”

6.—(1) Schedule 2 (transitional provisions) to the 2015 Regulations is amended as follows.

(2) In paragraph 1 (interpretation)—

(a) in the definition of “closing date”, in paragraph (c), for “member, or” to the end substitute—

“member,

(i) if the member is a full protection member of the 1992 Scheme or the NFPS, 31 March 2022, or

(ii) if the member is not a protected member of one of those schemes, the scheme closing date;”;

(b) in the definition of “transition date”, for “member, and” to the end substitute—

“member,

(a) if the member is a full protection member of the 1992 Scheme or the NFPS, 1 April 2022, and

(b) if the member is not a protected member of the 1992 Scheme or the NFPS, the day after the scheme closing date, or, if later, the day the person ceased to be a protected member of that scheme.”

(3) Yn lle is-baragraff (3) o baragraff 3 (ystyr “dyddiad cau diogelwch taprog”) rhodder—

“(3) Y dyddiad cau diogelwch taprog ar gyfer aelod diogelwch taprog o CPNDT y mae paragraff 9(5) neu 21 yn gymwys iddo yw—

- (a) 31 Mawrth 2022; neu
- (b) dyddiad cynharach a benderfynir gan y rheolwr cynllun.”

(4) Yn lle is-baragraff (2) o baragraff 9 (aelodau diogelwch llawn o Gynllun 1992 neu CPNDT) rhodder—

“(2) Mae P yn peidio â bod yn aelod diogelwch llawn o Gynllun 1992 neu o CPNDT, yn ôl y digwydd—

- (a) ar 31 Mawrth 2022; neu
- (b) os yw’n gynharach, pan fo P yn peidio â bod mewn gwasanaeth pensiynadwy o dan y cynllun hwnnw ac yn peidio â bod yn gymwys i fod yn aelod actif o CPNDT, onid yw is-baragraff (3) neu (4) yn gymwys.”

(5) Ym mharagraff 31(2)(a) (gwasanaeth pensiynadwy o dan CPNDT), hepgorer y geiriau o “neu os yw T yn dychwelyd i wasanaeth pensiynadwy” hyd at y diwedd.

(6) Hefgorer paragraffau 37 (awdurdod yn penderfynu a oes hawlogaeth gan aelod o CPNDT i gael dyfarniad afiechyd) a 38 (awdurdod yn penderfynu a oes hawlogaeth gan aelod o Gynllun 1992 i gael dyfarniad afiechyd).

(3) For sub-paragraph (3) of paragraph 3 (meaning of “tapered protection closing date”) substitute—

“(3) The tapered protection closing date for a tapered protection member of the NFPS to whom paragraph 9(5) or 21 applies is—

- (a) 31 March 2022; or
- (b) an earlier date determined by the scheme manager.”

(4) For sub-paragraph (2) of paragraph 9 (full protection members of the 1992 Scheme or the NFPS) substitute—

“(2) P ceases to be a full protection member of the 1992 Scheme or the NFPS, as the case may be—

- (a) on 31 March 2022; or
- (b) if earlier, when P ceases to be in pensionable service under that scheme and ceases to be eligible to be an active member of the NFPS, unless sub-paragraph (3) or (4) applies.”

(5) In paragraph 31(2)(a) (pensionable service under the NFPS), omit the words from “or if T returns to pensionable service” to the end.

(6) Omit paragraphs 37 (authority determines the entitlement of a member of the NFPS to an ill-health award) and 38 (authority determines the entitlement of a member of the 1992 Scheme to an ill-health award).

Hannah Blythyn

Y Dirprwy Weinidog Partneriaeth Gymdeithasol, o dan awdurdod y Gweinidog Cyfiawnder Cymdeithasol, un o Weinidogion Cymru
21 Mawrth 2022

Deputy Minister for Social Partnership, under the authority of the Minister for Social Justice, one of the Welsh Ministers
21 March 2022

*Michael Tomlinson
Alan Mak*

Rydym yn cydsynio
Dau o Arglwydd Gomisiynwyr Trysorlys Ei Mawrhydi
16 Mawrth 2022

We consent
Two of the Lords Commissioners of Her Majesty’s Treasury
16 March 2022

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