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WELSH STATUTORY INSTRUMENTS

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**2023 No. 961**

**The Firefighters' Pensions (Remediable Service) (Wales) Regulations 2023**

**PART 2**

**Remediable Service Statements**

**Requirement to provide a remediable service statement**

4.—(1) The scheme manager must provide a remediable service statement in respect of a remedy member (“M”) in accordance with—

- (a) section 29 of the PSPJOA 2022,
- (b) any Treasury directions made under section 29(6) of that Act, and
- (c) this regulation.

(2) A remediable service statement must be provided in respect of M—

- (a) on or before the relevant date<sup>(1)</sup>,
- (b) where M is, in relation to their remediable service, for the time being—
  - (i) an active member<sup>(2)</sup>, at least once in each year ending with the anniversary of the relevant date,
  - (ii) a deferred member<sup>(3)</sup>, in response to a request by the person mentioned in paragraph (3)<sup>(4)</sup>, or
  - (iii) a pensioner member, once only, and
- (c) where M is a deferred choice member, as soon as reasonably practicable following receipt of notification—
  - (i) under regulation 15(2) that M intends to claim benefits in relation to M’s remediable service, or
  - (ii) that M has died.

(3) The remediable service statement must be provided to—

- (a) M, or
- (b) where M has died—
  - (i) the person who is for the time being the eligible decision-maker in relation to M’s remediable service under the Schedule, and
  - (ii) within 18 months of the scheme manager receiving notification that M has died.

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<sup>(1)</sup> See section 29(10) of the PSPJOA 2022 for the meaning of “the relevant date”.

<sup>(2)</sup> See section 109(2) of the PSPJOA 2022 for the meaning of “active member”.

<sup>(3)</sup> See section 109(4) of the PSPJOA for the meaning of “deferred member”.

<sup>(4)</sup> In accordance with section 29(9) of the PSPJOA 2022, only one request under regulation 4(2)(b)(ii) may be made during any period of 12 months.

- (4) The remediable service statement must include—
  - (a) where M is an immediate choice member, information about—
    - (i) the irrevocability of an immediate choice decision, and
    - (ii) the benefits which will be payable if no immediate choice decision is made before the end of the section 6 election period;
  - (b) where M is a deferred choice member, information about—
    - (i) the revocability (or otherwise) of a deferred choice decision, and
    - (ii) the benefits that will be payable if no deferred choice decision is made before the end of the section 10 election period;
  - (c) where M is deceased, the identity, or a description of the identity, of the person or persons who may make an immediate choice decision or a deferred choice decision in relation to M's remediable service.
- (5) For further provision about—
  - (a) what a remediable service statement must include, see—
    - (i) section 29(5) of the PSPJOA 2022;
    - (ii) direction 20(1) of the PSP Directions 2022;
  - (b) when a remediable service statement must be combined with a benefit information statement provided under section 14 of the Public Service Pensions Act 2013, see direction 20(2) of the PSP Directions 2022.