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WELSH STATUTORY INSTRUMENTS

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**2023 No. 961**

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

**PART 7**

Provision about special cases

CHAPTER 1

Ill-health retirement

**M's entitlement to ill-health benefits to be treated as equivalent in M's alternative scheme**

**53.**—(1) This regulation applies in relation to an immediate choice member (“M”) who, during the period beginning on 1 April 2015 and ending on 31 March 2022, was—

- (a) a 2007 IHR member; or
- (b) a 2015 IHR member.

(2) For the purposes of the PSPJOA 2022 and these Regulations, M is to be treated as meeting the requirements for an equivalent ill-health award in M's alternative scheme.

(3) In paragraph (2), “equivalent ill-health award in M's alternative scheme” means, where M is entitled to—

- (a) a lower tier award under the 2007 scheme, a lower tier award under the 2015 scheme;
- (b) a higher tier award under the 2007 scheme, a higher tier award under the 2015 scheme;
- (c) a lower tier award under the 2015 scheme, and—
  - (i) M's legacy scheme is the 1992 scheme, a lower tier award under that scheme;
  - (ii) M's legacy scheme is the 2007 scheme, a lower tier award under that scheme;
- (d) a higher tier award under the 2015 scheme, and—
  - (i) M's legacy scheme is the 1992 scheme, a higher tier award under that scheme;
  - (ii) M's legacy scheme is the 2007 scheme, a higher tier award under that scheme.

(4) No question relating to M's entitlement to ill-health benefits that has been decided following a referral to an IQMP is to be re-opened by virtue of any provision of the PSPJOA 2022 or of these Regulations.