



CYNULLIAD CENEDLAETHOL CYMRU

NATIONAL ASSEMBLY FOR WALES

OFFERYNNAU STATUDOL

STATUTORY INSTRUMENTS

2004 Rhif 2918 (Cy.257)

2004 No. 2918 (W.257)

GWASANAETHAU TÂN

FIRE SERVICES

PENSIYNAU

PENSIONS

**Gorchymyn Deddf y
Gwasanaethau Tân ac Achub 2004
(Cynllun Pensiwn y Dynion Tân)
(Cymru) 2004**

**The Fire and Rescue Services Act
2004 (Firefighters' Pension
Scheme) (Wales) Order
2004**

NODYN ESBONIADOL

EXPLANATORY NOTE

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

(This note is not part of the Order)

Mae'r Gorchymyn hwn yn darparu bod Cynllun Pensiwn y Dynion Tân ("y Cynllun"), a sefydlwyd o dan adran 26 o Ddeddf Gwasanaethau Tân 1947, yn parhau mewn grym er bod yr adran honno wedi'i diddymu gan Ddeddf y Gwasanaethau Tân ac Achub 2004. At ddibenion y Cynllun, mae'r Gorchymyn hwn yn parhau i roi effaith i ddeddfiadau penodol a ddiwygiwyd neu a ddiddymwyd gan Ddeddf 2004.

This Order provides for the Firemen's Pension Scheme ("the Scheme"), established under section 26 of the Fire Services Act 1947, to continue in force despite the repeal by the Fire and Rescue Services Act 2004 of that section. For the purposes of the Scheme, this Order continues to give effect to certain enactments amended or repealed by the 2004 Act.

Mae'r Gorchymyn hwn hefyd yn darparu ar gyfer newid enw'r Cynllun yn "Cynllun Pensiwn y Dynion Tân (Cymru)". Dehonglir unrhyw gyfeiriad at y Cynllun mewn unrhyw ddeddfiad, offeryn neu ddogfen arall (gan gynnwys y Cynllun ei hun) fel cyfeiriad at y Cynllun o dan ei enw newydd.

This Order also provides for the name of the Scheme to be changed to the "Firefighters' Pension (Wales) Scheme". Any reference to the Scheme in any enactment, instrument or other document (including the Scheme itself) will be construed as a reference to the Scheme by its new name.

Ni luniwyd asesiad effaith reoleiddiol llawn ar gyfer yr offeryn hwn, gan nad yw'r offeryn yn effeithio o gwbl ar gostau busnesau, elusennau neu gyrff gwirfoddol.

A full regulatory impact assessment has not been produced for this instrument, as it has no impact on the costs of businesses, charities or voluntary bodies.

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Wedi'i wneud 9 Tachwedd 2004

Made 9 November 2004

Yn dod i rym 11 Tachwedd 2004

Coming into force 11 November 2004

Mae Cynulliad Cenedlaethol Cymru yn gwneud y gorchymyn canlynol drwy arfer y pwerau a roddwyd iddo gan adrannau 36, 60 a 62 o Ddeddf y Gwasanaethau Tân ac Achub 2004(a):

The National Assembly for Wales makes the following order in exercise of the powers conferred on it by sections 36, 60 and 62 of the Fire and Rescue Services Act 2004(a):

Cymhwyso, enwi a chychwyn

1.-(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf y Gwasanaethau Tân ac Achub 2004 (Cynllun Pensiwn y Dynion Tân) (Cymru) 2004 a daw i rym ar 11 Tachwedd 2004.

(2) Mae'r Gorchymyn hwn yn gymwys mewn perthynas â Chymru.

Application, name and commencement

1.-(1) This Order may be cited as the Fire and Rescue Services Act 2004 (Firefighters' Pension Scheme) (Wales) Order 2004 and shall come into force on 11 November 2004.

(2) This Order applies in relation to Wales.

Dehongli

2. Yn y Gorchymyn hwn, ystyr "y Cynllun" yw'r cynllun a sefydlwyd o dan adran 26 o Ddeddf Gwasanaethau Tân 1947(b) ac a nodir yng Ngorchymyn Cynllun Pensiwn y Dynion Tân 1992(c).

Interpretation

2. In this Order, "the Scheme" means the scheme established under section 26 of the Fire Services Act 1947(b) and set out in the Firemen's Pension Scheme Order 1992(c).

Cadw'r cynllun pensiwn presennol

3.-(1) Er gwaethaf diddymu adran 26 o Ddeddf Gwasanaethau Tân 1947(ch), bydd y Cynllun yn parhau mewn grym.

Preservation of existing pension scheme

3.-(1) Notwithstanding the repeal of section 26 of the Fire Services Act 1947(d), the Scheme shall continue in force.

(a) 2004 p.21.

(b) 1947 p. 41.

(c) O.S. 1992/129, fel y'i diwygiwyd gan O.S. 1997/2309, 1997/2851, 1998/1010, 2001/3649, 2001/3691 ac O.S. 2001/310.

(ch) Diddymir Adran 26 gan adran 54 o Ddeddf y Gwasanaethau Tân ac Achub 2004 ac Atodlen 2 iddi, ond mae erthygl 3 o'r Gorchymyn hwn a'r Atodlen iddo yn parhau i roi effaith i'r adran honno at ddibenion y Cynllun.

(a) 2004 c.21.

(b) 1947 c. 41.

(c) S.I. 1992/129, as amended by S.I. 1997/2309, 1997/2851, 1998/1010, 2001/3649, 2001/3691 and S.I. 2001/310.

(d) Section 26 is repealed by section 54 of, and Schedule 2 to, the Fire and Rescue Services Act 2004, but continues to have effect for the purposes of the Scheme by article 3 of, and the Schedule to, this Order.

(2) Bydd y deddfiadau a restrir yn yr Atodlen i'r Gorchymyn hwn yn parhau i fod ag effaith at ddibenion y Cynllun fel pe na baent wedi'u diwygio neu eu diddymu, fel sy'n briodol, gan Ddeddf y Gwasanaethau Tân ac Achub 2004.

Newid enw'r cynllun

4.-(1) Enw newydd y Cynllun fydd "Cynllun Pensiwn y Dynion Tân (Cymru)".

(2) Dehonglir unrhyw gyfeiriad at y Cynllun mewn unrhyw ddeddfiad, offeryn neu ddogfen arall (gan gynnwys y Cynllun ei hun) fel cyfeiriad at y Cynllun o dan ei enw newydd.

Llofnodwyd ar ran Cynulliad Cenedlaethol Cymru o dan adran 66(1) o Ddeddf Llywodraeth Cymru 1998(a).

9 Tachwedd 2004

Llywydd y Cynulliad Cenedlaethol

(2) The enactments listed in the Schedule to this Order shall continue to have effect for the purposes of the Scheme as if they had not been amended or repealed, as appropriate, by the Fire and Rescue Services Act 2004.

Change of scheme name

4.-(1) The new name of the Scheme shall be the "Firefighters' Pension (Wales) Scheme".

(2) Any reference to the Scheme in any enactment, instrument or other document (including the Scheme itself) shall be construed as a reference to the Scheme by its new name.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(a).

9 November 2004

D. Elis-Thomas

The Presiding Officer of the National Assembly

(a) 1998 p.38.

(a) 1998 c.38.

ATODLEN

SCHEDULE

Erthygl 3(2)

Article 3(2)

<i>Deddf</i>	<i>Adranau o'r Ddeddf sy'n parhau i fod ag effaith at ddibenion y Cynllun</i>
Deddf Gwasanaethau Tân 1947	Adran 26, is-adranau (1) i (5)(a) Adran 27A(b) Adran 35, i'r graddau y mae'n berthnasol i adran 26 Adran 39(5) Y Drydedd Atodlen
Deddf Gwasanaethau Tân 1951(c)	Adran 1
Deddf y Lluoedd wrth Gefn a'r Lluoedd Ategol (Diogelu Buddiannau Sifil) 1951(ch)	Adran 46(3)(iii) Adran 61(1)(d)
Deddf Gwasanaethau Tân 1959(d)	Adran 8, is-adranau (1) i (3) Adran 9, is-adranau (1) a (2)Adran 10
Deddf Pensiynau (Cynnydd) 1971(dd)	Paragraffau 16, 16A a 44 o Atodlen 2(e)

<i>Act</i>	<i>Sections of Act continuing in effect for the purposes of the Scheme</i>
Fire Services Act 1947	Section 26, subsections (1) to (5)(a) Section 27A(b) Section 35, in so far as it relates to section 26 Section 39(5) Third Schedule
Fire Services Act 1951(c)	Section 1
Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(d)	Section 46(3)(iii) Section 61(1)(d)
Fire Services Act 1959(e)	Section 8, subsections (1) to (3) Section 9, subsections (1) and (2)Section 10
Pensions (Increase) Act 1971(f)	Paragraphs 16, 16A and 44 of Schedule 2(g)

- (a) Diwygiwyd adran 26 gan adran 1 o Ddeddf Gwasanaethau Tân 1951 (p. 27); adran 42 o Ddeddf y Lluoedd wrth Gefn a'r Lluoedd Ategol (Diogelu Buddiannau Sifil) 1951 (p. 65); adran 33 o Ddeddf Dwyn 1968 (p. 60) ac Atodlen 3 iddi; adrannau 16 a 29 o Ddeddf Blwydd-daliadau 1972 ac Atodlen 8 iddi (p. 11); adran 100 o Ddeddf Cymorth Gwladol 1973 ac Atodlen 27 iddi (p. 38); adran 1 o Ddeddf Cymorth Gwladol (Darpariaethau Canlyniadol) 1975 ac Atodlen 1 iddi (p. 18); adran 32 o Ddeddf Llysoedd Ynadon 1980 (p. 43); adran 1 o Ddeddf Pensiynau'r Heddlu a'r Dynion Tân 1997 (p. 52) ac erthygl 2 o Orchymyn Cymorth Gwladol (Addasu Deddf Gwasanaethau Tân 1947) 1976 (O.S. 1976/551).
- (b) Mewnosodwyd adran 27A gan adran 3 o Ddeddf Pensiynau'r Heddlu a'r Dynion Tân 1997 ac fe'i diwygiwyd gan erthygl 102 o Ddeddf Gwasanaethau a Marchnadoedd Ariannol 2000 (Diwygiadau Canlyniadol a Diddymiadau) 2001 (O.S. 2001/3649).
- (c) 1951 p.27.
- (ch) 1951 p.65; diwygir adrannau 46(3)(iii) a 61(1)(d), o 11 Tachwedd 2004, gan adran 53 o Ddeddf y Gwasanaethau Tân ac Achub 2004 a pharagraff 12 o Atodlen 1 iddi.
- (d) 1959 p. 44.
- (dd) 1971 p. 56; mewnosodwyd paragraff 16A o Atodlen 2 gan adran 29 o Ddeddf Blwydd-daliadau 1972 a pharagraff 89 o Atodlen 6 iddi. Diwygir paragraffau 16, 16A a 44 o Atodlen 2, o 11 Tachwedd 2004, gan adran 53 o Ddeddf y Gwasanaethau Tân ac Achub 2004 a pharagraff 35 o Atodlen 1 iddi.
- (e) 1971 p.56; mewnosodwyd paragraff 16A gan adran 29 o Ddeddf Blwydd-daliadau 1972 ac Atodlen 6 iddi.

- (a) Section 26 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); section 100 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) and article 2 of the Social Security (Modification of Fire Services Act 1947) Order 1976 (S.I. 1976/551).
- (b) Section 27A was inserted by section 3 of the Police and Firemen's Pensions Act 1997 and amended by article 102 of the Financial Services and Markets Act 2000 (Consequential Amendments and Repeals) Order 2001 (S.I. 2001/3649).
- (c) 1951 c.27.
- (d) 1951 c.65; sections 46(3)(iii) and 61(1)(d) are amended, from 11 November 2004, by section 53 of, and paragraph 12 of Schedule 1 to, the Fire and Rescue Services Act 2004.
- (e) 1959 c. 44.
- (f) 1971 c. 56; paragraph 16A of Schedule 2 was inserted by section 29 of, and paragraph 89 of Schedule 6 to, the Superannuation Act 1972. Paragraphs 16, 16A and 44 of Schedule 2 are amended, from 11 November 2004, by section 53 of, and paragraph 35 of Schedule 1 to, the Fire and Rescue Services Act 2004.
- (g) 1971 c. 56; paragraph 16A was inserted by section 29 of, and Schedule 6 to, the Superannuation Act 1972.

Deddf Blwydd-daliadau 1972 (a)	Adran 16 Adran 24(1)(a)	Superannuation Act 1972 (a)	Section 16 Section 24(1)(a)
Deddf Pensiynau'r Heddlu a'r Dynion Tân 1997 (b)	Adran 1(3)	Police and Firemen's Pensions Act 1997 (b)	Section 1(3)

(a) 1972 p.11. O 11 Tachwedd 2004, diwygir adran 24(1)(a) gan adran 53 o Ddeddf y Gwasanaethau Tân ac Achub 2004, a pharagraff 37 o Atodlen 1 iddi.

(b) 1997 p.52.

(a) 1972 c.11. From 11 November 2004, section 24(1)(a) is amended by section 53 of, and paragraph 37 of Schedule 1 to, the Fire and Rescue Services Act 2004.

(b) 1997 c.52.

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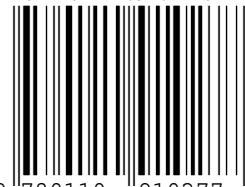
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