

NATIONAL ASSEMBLY FOR WALES

MEMORANDUM OF CORRECTIONS PURSUANT TO STANDING ORDER 24.13

The Firefighters' Pension Scheme (Wales) Order 2007

Background

The draft Order to which this Memorandum relates were laid before the National Assembly for Wales on 6 March 2007, considered by the Business Committee on 6 March 2007 and by the Legislation Committee on 20 March 2007.

The need for drafting changes was identified by the Legal Advisers to the Legislation Committee prior to the Committee's meeting and amendments suggested in consequence.

The following matters were reported and agreed by the Legislation Committee in its meeting on 20 March 2007 as being appropriate for correction under Standing Order 24.13.

Amendments to the English text of the Regulations

Amendment 1

In rule 2(1) of Part 1 of Schedule 1 in the definition of 'higher tier ill-health pension' substitute "2(3)" for "2(4)".

Reason for the Amendment

Minor drafting error.

Amendment 2

In rule 2(1) of Part 1 of Schedule 1 in the definition of 'lower tier ill-health pension' substitute "2(2)" for "2(3)".

Reason for the Amendment

Minor drafting error.

Amendment 3

In rule 2(1) of Part 1 of Schedule 1 in the definition of "pension credit rights" substitute "1993 Act" for "1999 Act".

Reason for the Amendment

Minor drafting error.

Amendment 4

In rule 2(1)(b) of Part 2 of Schedule 1 substitute “a transfer value payment in respect of the member’s rights under a personal pension scheme has been made to the Scheme in accordance with Part 12; or” for “the member transfers into the Scheme with personal pension rights which qualify that member for benefits under the Scheme; or”

Reason for the Amendment

Minor drafting error.

Amendment 5

Delete rule 2(2) of Part 2 of Schedule 1.

Reason for the Amendment

Minor drafting error.

Amendment 6

In rule 1(8)(b) of Part 5 of Schedule 1 substitute “paragraph (4) of that rule” for “paragraph (2) of that rule”.

Reason for the Amendment

Minor drafting error.

Amendment 7

In rule 6(4) of Part 10 of Schedule 1 substitute “the formula in paragraph (3)” for “the formula in paragraph (1)”.

Reason for the Amendment

Minor drafting error.

Amendment 8

In rule 5(1) of Part 15 of Schedule 1 after the words “the Firefighters’ Pension Scheme (Wales) Order” insert “2007”.

Reason for the Amendment

Minor drafting error.

Amendments to the Welsh text of the Regulations

Amendment 1

In rule 2(1) of Part 1 of Schedule 1 in the definition of “hawliau credyd pensiwn” substitute “Ddeddf 1993 ” for “ Ddeddf 1999”

Reason for the amendment

Minor drafting error.

Amendment 2

In rule 2(1) of Part 1 of Schedule 1 in the definition of “pensiwn afiechyd haen is” substitute “2(2)” for “2(3)”.

Reason for the Amendment

Minor drafting error.

Amendment 3

In rule 2(1) of Part 1 of Schedule 1 in the definition of “pensiwn afiechyd haen uwch” substitute “2(3)” for “2(4)”.

Reason for the Amendment

Minor drafting error.

Amendment 4

In rule 2(1)(b) of Part 2 of Schedule 1 substitute “os oes taliad gwerth trosglwyddo mewn perthynas â hawl aelod o dan gynllun pensiwn personol yn cael ei wneud i'r Cynllun yn unol â Rhan 12; neu” for “os yw'r aelod yn trosglwyddo i mewn i'r Cynllun gyda hawliau pensiwn personol sy'n cymhwyso'r aelod hwnnw i gael buddion o dan y Cynllun; neu”

Reason for the Amendment

Minor drafting error.

Amendment 5

Delete rule 2(2) of Part 2 of Schedule 1.

Reason for the Amendment

Minor drafting error.

Amendment 6

In rule 5(2)(a) of Part 2 of Schedule 1 substitute “y daw'r hysbysiad o dan baragraff(1) i law yn dechrau” for “y ceir yr hysbysiad o dan baragraff(1) yn dechrau”

Reason for the Amendment

Minor drafting error.

Amendment 7

In rule 1(8)(b) of Part 5 of Schedule 1 substitute “baragraff (4) o'r rheol” for “baragraff (2) o'r rheol”.

Reason for the Amendment

Minor drafting error.

Amendment 8

In rule 4 of Part 9 of Schedule 1, in the fifth line substitute “oed” for “pump a hoed”.

Reason for the Amendment

Minor drafting error.

Amendment 9

In rule 6(4) of Part 10 of Schedule 1 substitute “fformiwla ym mharagraff (3)” for “fformiwla ym mharagraff (1)”.

Reason for the Amendment

Minor drafting error.

Amendment 10

In rule 4(10) of Part 12 of Schedule 1 substitute “adran 736 o Ddeddf Cwmniau 1985” for “adran 376 o Ddeddf Cwmniau 1985”.

Reason for the Amendment

Minor drafting error.

Amendment 11

In rule 12(1) of Part 12 of Schedule 1 substitute “i’w gyfrif ar y dyddiad y gadawodd gyflogaeth” for “i’w gyfrif fel y dyddiad y gadawodd gyflogaeth”.

Reason for the Amendment

Minor drafting error.

Amendment 12

In rule 2(2) of Part 13 of Schedule 1 insert the words “yn y dyfodol” in the fifth line after the words “gyflawni ei atebolrwydd”.

Reason for the Amendment

Minor drafting error.

Amendment 13

In rule 7(2)(c) of Part 13 of Schedule 1, in the fifth line substitute “diffyg a archwiliwyd” for “diffyg nas archwiliwyd”.

Reason for the Amendment

Minor drafting error.

Amendment 14

In rule 8(2)(c) of Part 13 of Schedule 1, in the sixth line substitute “gwarged a archwiliwyd” for “gwarged nas archwiliwyd”.

Reason for the Amendment

Minor drafting error.

Amendment 15

In paragraph 4(6) of Annex 2, in the third line delete the word “cyfrifol”.

Reason for the Amendment

Minor drafting error.

Amendment 16

In paragraph 5 of Annex 2, substitute “Os eir ar drywydd apêl” for “Pan fo apêl i’w dwyn”.

Reason for the Amendment

Minor drafting error.

Amendment 17

In paragraph 1(5)(b) of Schedule 2 substitute “(2) At ddibenion y cyfrifo hwnnw, mae enillion pensiynadwy’r aelod i’w hystyried yn swm yr enillion hynny ar y dyddiad y daw’r taliad gwerth trosglwyddo i law” for “(2) For the purposes of that calculation, the member’s pensionable earnings are to be taken to be the amount of those earnings as at the date on which the transfer value payment is received”.

Reason for the Amendment

Minor drafting error.

20 March 2007

Edwina Hart

MINISTER FOR SOCIAL JUSTICE AND REGENERATION