

Hannah Blythyn MS

Deputy Minister for Social Partnership

7 February 2024

Dear Hannah,

The Firefighters' Pension Schemes and Compensation Scheme (Amendment) (Wales) Order 2024

At our meeting on 29 January 2024, we considered The Firefighters' Pension Schemes and Compensation Scheme (Amendment) (Wales) Order 2024 (the Order).

You will be aware that our report on the Order contained six technical points and two merits points. At our meeting on 5 February 2024 we considered the Welsh Government response to our report on the Order.

You will know that our third technical reporting point highlighted that in new rule 5C(7) (which can be found in paragraph 6(3) of Schedule 1 to the Order) there is a difference between the English and Welsh texts which has the effect that the texts have the opposite meaning and therefore contradict each other. In response to this point, we have been told:

*"The Welsh Government notes that the text of the Welsh and English provisions of new rule 5C(7) (inserted by paragraph 6(3) of Schedule 1 to the Order) produce opposite meanings. The English text identified is correct, and the equivalent Welsh text should read "Where the authority **do not** hold records of that person's pay for that period..." (emphasis added). The Welsh text will be amended accordingly at the next available opportunity."*

You may appreciate my Committee's concern that the response we have received does not appear to indicate that the Welsh Government considers this to be an urgent matter. Neither does the response provide an indication as to when the Welsh text will be corrected. In the meantime, the law in this area is flawed, which is unsatisfactory.



We would welcome clarification on when the error in new rule 5C(7) will be corrected.

I would be grateful to receive a response by Thursday 22 February 2024.

Yours sincerely,

Huw Irranca-Davies

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Chair

