

Jane Hutt AC / AM
Y Gweinidog dros Cyllid ac Arweinydd y Tŷ
Minister for Finance and Leader of the House



Llywodraeth Cymru
Welsh Government

Our ref SF/CS/0137/12

Rosemary Butler AM
Presiding Officer
National Assembly for Wales

28 March 2012

Dear Rosemary,

The Firefighters' Pension (Wales) Scheme (Contributions) (Amendment) Order 2012 and the Firefighters' Pension Scheme (Wales) (Contributions) (Amendment) Order 2012

I am writing to inform you that in order to bring the Firefighters' Pension (Wales) Scheme (Contributions) (Amendment) Order 2012, and the Firefighters' Pension Scheme (Wales) (Contributions) (Amendment) Order 2012 into force in Wales, it has become necessary to breach the 21 day rule. These Regulations were made and laid in Table Office on Thursday 29 March and will come into force on 1 April 2012.

These Orders amend the Firefighters' Pension Scheme Wales (the 1992 Scheme) and the New Firefighters' Pension Scheme Wales (the 2007 Scheme), by increasing the firefighters pension contribution rates as of 1 April 2012.

By virtue of section 26 of the Fire Services Act 1947 and section 12 of the Superannuation Act 1972 (as applied by section 16(3) of the 1972 Act and sections 36 and 62 of the Fire and Rescue Services Act 2004), the former National Assembly for Wales was authorised to amend the 1992 scheme.

By virtue of sections 34 and 62 of the Fire and Rescue Services Act 2004, the former National Assembly for Wales was also authorised to bring into operation one or more (new) schemes making provision for the payment of pensions, allowances and gratuities for persons employed by fire and rescue authorities in Wales.

These powers of the National Assembly for Wales were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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The Welsh Ministers introduced a new pension scheme in 2007 (the 2007 scheme) using their powers in sections 34 and 62 of the Fire and Rescue Services Act, 2004, and the old firefighters' pension scheme (the 1992 scheme) was closed to firefighters who joined the service on or after 6 April 2006.

The Orders could not be laid until discussions with bodies representing firefighters regarding the increased contribution rates were concluded. Also it was necessary to obtain the consent of HM Treasury to the agreed increased rates as they are below the increased rates previously proposed by HM Treasury. Final agreement of HM Treasury to the contribution rates contained within the Orders was not secured until 26 March 2012. The UK and Scottish Governments are introducing similar Orders which will increase the contribution rates of the firefighters who are members of their schemes by the same amounts as set out in these Orders.

Both Orders will follow the negative resolution procedure, and both Orders have been subject to a Regulatory Impact Assessment. An Explanatory Memorandum has also been prepared, which includes the Regulatory Impact Assessment. The Explanatory Memorandum has been laid, together with the Orders, in Table Office.

A copy of this letter goes to David Melding, Chair of the Constitutional and Legislative Affairs Committee and to Stephen George, Clerk to the Constitutional and Legislative Affairs Committee.

Yours sincerely,
Jane

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