OFFERYNNAU STATUDOL CYMRU

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GWASANAETHAU TÂN AC ACHUB, CYMRU PENSIYNAU, CYMRU

Gorchymyn Cynllun Pensiwn y Dynion Tân (Cymru) (Cyfraniadau) (Diwygio) 2012

Gwnaed - - - -	*28 Mawrth 2012*
Gosodwyd gerbron Cynulliad Cenedlaethol Cymru - -	*29 Mawrth 2012*
Yn dod i rym - -	*1 Ebrill 2012*

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adran 26(1) o Ddeddf Gwasanaethau Tân 1947(**1**) ac a freiniwyd bellach ynddynt hwy(**2**) yn gwneud y Gorchymyn canlynol:

Enwi a chychwyn

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cynllun Pensiwn y Dynion Tân (Cymru) (Cyfraniadau) (Diwygio) 2012.

(2) Daw'r Gorchymyn hwn i rym ar 1 Ebrill 2012.

Diwygio Gorchymyn Cynllun Pensiwn y Dynion Tân 1992

2. Mae Atodlen 2 i Orchymyn Cynllun Pensiwn y Dynion Tân 1992(**3**) (lle y mae Cynllun Pensiwn y Dynion Tân (Cymru) wedi ei nodi), fel y mae'n cael effaith yng Nghymru, wedi ei diwygio yn unol ag erthyglau 3 a 4 o'r Gorchymyn hwn.

(**1**) 1947 p.41, a ddiddymwyd gan adran 52 o Ddeddf y Gwasanaethau Tân ac Achub 2004 (p.21) ac Atodlen 2 iddi. Mae is-adrannau (1) i (5) o adran 26 yn parhau i gael effaith mewn perthynas â Chymru, at ddibenion y cynllun a sefydlwyd o dan yr adran honno fel Cynllun Pensiwn y Dynion Tân ("Firemen's Pension Scheme") ac a nodir yng Ngorchymyn Cynllun Pensiwn y Dynion Tân 1992 (O.S. 1992/129), gan erthygl 3 o O.S. 2004/2918 (Cy.257). Drwy erthygl 4 o'r offeryn hwnnw newidiwyd enw'r Cynllun i Gynllun Pensiwn y Dynion Tân (Cymru) ("Firefighters' Pension (Wales) Scheme"). Diwygiwyd adran 26 o Ddeddf 1947 gan amryfal Ddeddfau ond nid yw'r diwygiadau hynny yn berthnasol i'r Gorchymyn hwn.

(**2**) Mae swyddogaethau'r Ysgrifennydd Gwladol o dan adran 26 o Ddeddf Gwasanaethau Tân 1947 bellach wedi eu breinio yng Ngweinidogion Cymru i'r graddau y maent yn arferadwy mewn perthynas â Chymru. Yr oeddent wedi eu breinio'n flaenorol yng Nghynulliad Cenedlaethol Cymru gan Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672); *gweler* y cofnod ar gyfer Deddf Gwasanaethau Tân 1947 yn Atodlen 1 i'r Gorchymyn hwnnw. Yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p.32) fe'u trosglwyddwyd i Weinidogion Cymru.

(**3**) O.S. 1992/129; a ddiwygiwyd gan 1997/2309 a 2851, a 1998/1010, 2001/3649 a 3691, 2004/1912, 2006/1672 (Cy.160) a 2009/1226 (Cy.109).

3. Yn rheol G2 (cyfraniadau pensiwn)—

(a) ym mharagraff (1), yn lle "specified in paragraph (1A)" rhodder "specified in the Table in paragraph 3 of Part A1 of Schedule 8;" a

(b) hepgorer paragraff (1A).

4. Yn Atodlen 8, yn lle

"PURCHASE OF INCREASED BENEFITS"

substitute

"**PENSION CONTRIBUTION AND PURCHASE OF INCREASED BENEFITS**
Rule G2

PART A1

PENSION CONTRIBUTIONS

1.—(1) In the case of a whole-time regular firefighter the pension contribution mentioned in rule G2(1) is the percentage of the firefighter's pensionable pay ascertained from the Table in paragraph 3 by reference to the amount of the firefighter's pensionable pay in the first column of that Table.

(2) For the purposes of sub-paragraph (1)—

(a) where there has been a permanent material change to the terms and conditions of a regular firefighter's employment which affects the firefighter's pensionable pay, from the date of that change the firefighter's pensionable pay in the first and second columns must be calculated by reference to the revised amount.

(b) pensionable pay in the first column of the Table in paragraph 3 does not include payments made to a regular firefighter by the fire and rescue authority in respect of his continual professional development, but those payments will be included in the firefighter's pensionable pay for the purposes of the application of the rate ascertained from that Table.

2.—(1) In the case of a part-time regular firefighter, the pension contribution mentioned in rule G2(1) is the percentage of the firefighter's pensionable pay ascertained from the Table in paragraph 3 by reference to the amount of pensionable pay which the firefighter would have received had the firefighter been a whole-time regular firefighter.

(2) For the purposes of sub-paragraph (1)—

(a) where there has been a permanent material change to the terms and conditions of a part-time regular firefighter's employment which affects the firefighter's pensionable pay, from the date of that change the firefighter's pensionable pay in the first and second columns must be calculated by reference to the revised amount; and

(b) pensionable pay in the first column of the Table in paragraph 3 does not include payments made to a part-time regular firefighter by the fire and rescue authority in respect of the firefighter's continual professional development, but those payments will be included in the firefighter's pensionable pay for the purposes of the application of the rate ascertained from that Table.

3. The following Table is that referred to in paragraphs 1 and 2.

TABLE

Pensionable pay	*Contribution rate from 1st April 2012*
Up to and including £15,000	11.0% of pensionable pay
More than £15,000 and up to and including £30,000	11.6% of pensionable pay
More than £30,000 and up to and including £40,000	11.7% of pensionable pay
More than £40,000 and up to and including £50,000	11.8% of pensionable pay
More than £50,000 and up to and including £60,000	11.9% of pensionable pay
More than £60,000 and up to and including £100,000	12.2% of pensionable pay
More than £100,000 and up to and including £120,000	12.5% of pensionable pay
More than £120,000	13.0% of pensionable pay"

Carl Sargeant
Y Gweinidog Llywodraeth Leol a Chymunedau, un o Weinidogion Cymru

28 Mawrth 2012

EXPLANATORY NOTE

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

Mae'r Gorchymyn hwn yn diwygio Cynllun Pensiwn y Dynion Tân (Cymru) (sydd wedi ei nodi yn Atodlen 2 i Orchymyn Cynllun Pensiwn y Dynion Tân 1992 (O.S. 1992/129)) ("Cynllun 1992") fel y mae'n cael effaith yng Nghymru, gydag effaith o 1 Ebrill 2012.

Mae'r diwygiad yn darparu ar gyfer cyfraddau gwahanol o gyfraniadau pensiwn sy'n daladwy gan aelodau Cynllun 1992 sy'n cynyddu yn ôl swm y cyflog pensiynadwy y mae'r aelod yn ei dderbyn. Pennir cyfraddau'r cyfraniadau ym mharagraff 3 o'r Tabl yn Rhan A1 o Atodlen 8 i'r Cynllun (fel y'i mewnosodir gan y Gorchymyn hwn).

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar wneud Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Gorchymyn hwn. O ganlyniad, paratowyd asesiad effaith rheoleiddiol o ran costau a manteision tebygol cydymffurfio â'r Gorchymyn hwn. Mae copi ar gael gan y Gangen Tân a'r Lluoedd Arfog, Llywodraeth Cymru, Rhyd-y-car, Merthyr Tudful, CF48 1UZ neu drwy ffonio 01685 729227.