
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 79

**THE POLICE PENSION (NORTHERN
IRELAND) REGULATIONS 2009**

**PART 1
GENERAL**

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Police Pension (Northern Ireland) Regulations 2009.

(2) These Regulations come into operation on 6th April 2009 and have effect from 6th April 2006, subject to paragraph (3).

(3) The following regulations have effect from 31st December 2007—

- (a) regulation 10(2)(c); and
- (b) regulation 74(9).

(4) The Police Pension (Northern Ireland) Regulations 2007(1) are revoked.

Meaning of certain expressions and references – general provision

2.—(1) In these Regulations unless the context otherwise requires—

- (a) the expressions contained in the glossary set out in Schedule 1 shall be construed as provided in that Schedule;
- (b) any reference to a member of the police service, however expressed, includes a reference to a person who has been such a member;
- (c) any reference to an award, however expressed, is a reference to an award under these Regulations.

(2) For the purposes of these Regulations, an inspector of constabulary, a specified employee of SOCA or a police officer engaged on relevant service shall be deemed to be a member of the police service.

(3) In relation to an inspector of constabulary or an officer engaged on relevant service, any reference in these Regulations to the Board shall be construed as a reference to the Secretary of State.

(4) In relation to a specified employee of SOCA—

- (a) any reference in these Regulations to the Board shall be construed as a reference to SOCA; and
- (b) any reference in these Regulations to the police service shall be construed as a reference to SOCA.

Disablement

3.—(1) A reference in these Regulations to a person being permanently disabled is to be taken as a reference to that person being disabled at the time when the question arises for decision and to that disablement being at that time likely to be permanent.

(2) For the purposes of deciding if a person's disablement is likely to be permanent that person shall be assumed to receive normal appropriate medical treatment for his disablement, and in this paragraph "appropriate medical treatment" shall not include medical treatment that it is reasonable in the opinion of the Board for that person to refuse.

(3) Subject to paragraph (4), disablement means inability, occasioned by infirmity of mind or body, to perform the ordinary duties of a member of the police service or, as the case may be, to engage in any regular employment otherwise than as a police officer, except that in relation to a child survivor or an adult survivor of a police officer it means inability, occasioned by infirmity of mind or body, to earn a living.

(4) Where a person has retired or otherwise ceased to serve as a police officer before becoming disabled and the date on which he becomes disabled cannot be ascertained, it shall be taken to be the date on which the claim that he is disabled is first made to the Board.

(5) In this regulation, "infirmity" means a disease, injury or medical condition, and includes a mental disorder, injury or condition.