
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 290

**The Public Service (Civil Servants and Others)
Pensions Regulations (Northern Ireland) 2014**

PART 6

Retirement benefits

CHAPTER 4

[^{F1}Ill-Health] benefits

Provisional award of ill-health pension

75.—(1) This regulation applies if the scheme medical adviser is unable to form an opinion on the following matters—

- (a) whether a member (P) has suffered a permanent breakdown in health involving incapacity for employment or total incapacity for employment;
 - (b) whether P's breakdown in health involves—
 - (i) incapacity for employment; or
 - (ii) total incapacity for employment.
- (2) The scheme medical adviser may recommend that—
- (a) for a period specified in the recommendation (being a period of not more than 5 years), P is taken to have suffered a permanent breakdown in health involving whichever of the following is specified in the recommendation—
 - (i) incapacity for employment; or
 - (ii) total incapacity for employment; and
 - (b) P's case should be reviewed by the scheme medical adviser at the end of the period specified in the recommendation.
- (3) If the scheme manager agrees to the recommendation—
- (a) the scheme manager must determine if P meets the lower tier payment threshold or the upper tier payment threshold; and
 - (b) P is entitled to the immediate payment of—
 - (i) an ill-health pension in accordance with regulation 74; and
 - (ii) any full retirement added pension payable with it.
- (4) At the end of the period specified in the recommendation—
- (a) the scheme medical adviser must give the scheme manager an opinion on the matter to which the recommendation related; and
 - (b) regulation 74 applies to P accordingly, subject to paragraph (5).

(5) If as a result of the opinion P ceases to be entitled to payment of a lower tier earned pension, an upper tier top up earned pension or a full retirement added pension, that pension continues to be payable for a period of 3 months beginning with the date of the opinion.

Commencement Information

II [Reg. 75](#) in operation at 1.4.2015, see [reg. 1\(3\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Public Service (Civil Servants and Others) Pensions Regulations (Northern Ireland) 2014, Section 75.