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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 113**

**The Police Pensions Regulations (Northern Ireland) 2015**

**PART 7**

**Retirement benefits**

**CHAPTER 4**

**Reduction of ill-health benefits**

**Reduction of pension in case of default**

**105.**—(1) This regulation applies in relation to—

- (a) a deferred member of this scheme who on the ground of permanent medical unfitness for engaging in any regular employment becomes entitled under regulation 89(3) to the payment of a full retirement pension before reaching the member's state pension age<sup>(1)</sup>.
- (b) an active member of this scheme who becomes entitled under Chapter 3 to the payment of an ill-health pension under this scheme; or
- (c) a pensioner member of this scheme who becomes entitled under this Chapter to the of an enhanced upper tier ill-health pension.

(2) The scheme manager may reduce the amount of full retirement pension or ill-health pension under this scheme by an amount not exceeding a half of that to which the member would otherwise be entitled if the selected medical practitioner gives a report on the question referred under regulation 104(referral of medical questions for the purpose of reduction of benefits) containing the decision that the member has become medically unfit by the member's own default.

(3) For the purpose of this regulation, the selected medical practitioner may decide that the member has become medically unfit by the member's own default if, in the opinion of the selected medical practitioner, the member has brought about, or has substantially contributed to, the member's medical unfitness.

(4) The reduction of a pension under this regulation ceases to have effect—

- (a) in respect of a member mentioned in paragraph (1)(a) or (b), when the member reaches normal pension age under this scheme; or
- (b) in respect of a member mentioned in paragraph (1)(c), when the member reaches the member's state pension age.

(5) When the member reaches the member's state pension age, if the reduced pension is less than the amount of full retirement pension that would have been payable to the member on reaching that age had the member become entitled to a full retirement pension under regulation 89(2) when the member left eligible service, the scheme manager must increase the pension to that amount.

(6) The member may appeal under regulation 206 (appeals to the Department) against the decision of the scheme manager to reduce a pension under this regulation.

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(1) See regulation 89(3) for when a full retirement pension comes into payment early on grounds of permanent medical unfitness.

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**Status:** *This is the original version (as it was originally made).*

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