

## Schedule 1

### Medical decisions: appeals and reconsideration

#### Modifications etc. (not altering text)

- C1** Sch. 1 applied (1.10.2023) by [The Police Pensions \(Remediable Service\) Regulations \(Northern Ireland\) 2023 \(S.R. 2023/122\)](#), regs. 1(b), **51(4)**
- C2** Sch. 1 applied (1.10.2023) by [The Police Pensions \(Remediable Service\) Regulations \(Northern Ireland\) 2023 \(S.R. 2023/122\)](#), regs. 1(b), **51(7)**

#### Appeal against a decision of a selected medical practitioner

2.—(1) Within 28 days after a member of the police service receives a copy of a report by the selected medical practitioner containing a medical decision and certificate (or such longer period as the police pension authority may allow), the member may give notice of appeal to the police pension authority against the decision in accordance with paragraph 3 (referral to the Independent Medical Referee).

(2) An appeal under this paragraph is to be held in accordance with paragraph 3 (referral to the Independent Medical Referee).

(3) Sub-paragraph (4) applies if, within a further 28 days of the police pension authority receiving the notice of appeal (or such longer period as the police pension authority may allow), the member gives the police pension authority a statement of the grounds of appeal.

(4) The police pension authority must, unless the member and the police pension authority agree to a further reference to a selected medical practitioner under paragraph 4 (reconsideration of final decision)—

- (a) notify the Department that a statement of the grounds of appeal has been received; and
- (b) provide the Department with 2 copies of the notice of appeal and the report and certificate appealed against with the name and address of the appellant and any further information required by the Department.

(5) The Department shall appoint —

- (a) the IMR which shall consist of one or more independent medical practitioner's;
- (b) where more than one IMR is appointed the Department shall designate one IMR as the PIMR.

(6) The IMR shall report on the question or questions which is or are subject to appeal, except where there is a PIMR designated then only the PIMR shall report after taking into account the assessment of all other IMR's appointed by the Department.

(7) The decision of the IMR, if it disagrees with any part of the report of the selected medical practitioner—

- (a) must be expressed in the form of a report and a certificate; and
- (b) subject to paragraph 4 (reconsideration of final decision), that report is final.

(8) A copy of the report and certificate must be given to the police pension authority and the member.

(9) The police pension authority shall determine the appeal after considering the report of the IMR and that report shall supersede any other medical report.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Police Pensions Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:**

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Ch. 4 cease to have effect from 1/4/2024 by [S.R. 2024/38 reg. 10](#)
- Sch. 1 para. 1(d) substituted by [S.R. 2024/38 reg. 42\(3\)](#)
- reg. 19(1A) inserted by [S.R. 2024/38 reg. 7](#)
- reg. 75(3) inserted by [S.R. 2024/38 reg. 13](#)
- reg. 79(5) inserted by [S.R. 2024/38 reg. 14](#)
- reg. 84(3)(4) inserted by [S.R. 2024/38 reg. 16\(3\)](#)
- reg. 90(4) inserted by [S.R. 2024/38 reg. 20](#)
- reg. 117(2) inserted by [S.R. 2024/38 reg. 32\(7\)](#)
- reg. 202(5)(a) and words omitted by [S.R. 2024/38 reg. 37\(2\)](#)
- reg. 209(3A) inserted by [S.R. 2024/38 reg. 39\(2\)](#)
- reg. 219(5) inserted by [S.R. 2024/38 reg. 41](#)