

SCHEDULE 1

THE NEW FIREFIGHTERS' PENSION SCHEME (SCOTLAND)

PART 8

DETERMINATION OF QUESTIONS AND APPEALS

Appeals against decisions based on medical advice

4.—(1) A person who wishes to appeal against an authority's decision on an issue of a medical nature may do so to a Board of medical referees in accordance with the provisions of Annex 2.

(2) Subject to paragraph (3), where a decision—

- (a) is made with regard to an opinion obtained under rule 2(2) of this Part or medical evidence relied on as mentioned in rule 2(6) of this Part; or
- (b) is reconsidered under rule 3(4) of this Part with regard to a rule 3 response,

the authority shall, within 14 days of making, confirming or revising the decision (as the case may be), send to the person concerned the documents mentioned in paragraph (4).

(3) Nothing in paragraph (2) requires the supply of documents that have already been supplied under rule 2(7) or 3(5) of this Part.

(4) The documents are—

- (a) a copy of the opinion, rule 3 response or evidence (as the case may be);
- (b) an explanation of the procedure for appeals under this rule; and
- (c) a statement that, if the person wishes to appeal against the authority's decision on an issue of a medical nature, the person must give written notice to the authority, stating the person's name and address and the grounds of appeal, not later than 28 days after the person receives the last of the documents required to be supplied to the person under this paragraph, or within such longer period as the authority may allow.