
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 201

The Police Pensions (Scotland) Regulations 2007

PART 1

GENERAL PROVISIONS

Disablement

4.—(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 the disablement, and in this paragraph "appropriate medical treatment" shall not include medical treatment that it is reasonable in the opinion of the police authority 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 a police force or, as the case may be, to engage in any regular employment otherwise than as a regular police officer, except that in relation to a child survivor or an adult survivor of a member of a police force 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 regular police officer before becoming disabled and the date on which that person becomes disabled cannot be ascertained, it shall be taken to be the date on which the claim that that person is disabled is first made to the police authority.

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