
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 142

The Police Pension Scheme (Scotland) Regulations 2015

PART 6

Retirement pensions payable on grounds of permanent medical unfitness

CHAPTER 3

Early payment of full retirement pension on grounds of permanent medical unfitness

Application of Chapter

75.—(1) This Chapter applies in relation to a member of the police force who is a deferred member of this scheme.

(2) For the purpose of this Chapter, a former member of the police force is taken to be a member of the police force.

Referral of medical questions for purpose of early payment of a full retirement pension on grounds of permanent medical unfitness

76.—(1) Before considering whether a deferred member of this scheme is entitled to early payment of a full retirement pension on grounds of permanent medical unfitness, the employer must refer the following questions to a selected medical practitioner for decision—

- (a) whether the member is medically unfit for performing the ordinary duties of a member of the police force;
- (b) whether that medical unfitness is likely to be permanent;
- (c) whether the member is medically unfit for engaging in any regular employment; and
- (d) whether that medical unfitness is likely to be permanent.

(2) The selected medical practitioner must—

- (a) examine or interview the member as the selected medical practitioner thinks appropriate;
- (b) decide the questions referred to the selected medical practitioner under paragraph (1); and
- (c) give the employer and the member a report containing a decision on those questions.

(3) That report is final, subject to—

- (a) an appeal under Schedule 1 against the decision of the selected medical practitioner; or
- (b) the referral under Schedule 1 of the decision of the selected medical practitioner for reconsideration.

(4) For the purpose of paragraph (1), “early payment” means payment before the member reaches the member’s state pension age⁽¹⁾.

(1) See regulation 81(3) for entitlement to early payment of a full retirement pension on grounds of permanent medical unfitness.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
