
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 476

The Police Pension (Northern Ireland) Regulations 2007

PART 2

**ELIGIBILITY FOR PENSION AWARDS,
PENSIONABLE SERVICE AND RETIREMENT**

Eligibility for pension awards

Eligibility for pension awards payable on the ground of permanent disablement

6.—(1) This regulation applies to—

- (a) a candidate for appointment to the police service; and
- (b) a police officer who seeks under regulation 7(5) to cancel his election that regulation 5(1) shall not apply in his case.

(2) A person to whom this regulation applies shall, if required by the Board, submit to an examination by a duly qualified medical practitioner selected by the Board (“the selected medical practitioner”) in accordance with regulation 65 in order that the Board may determine his eligibility to receive pension awards payable on the ground of permanent disablement.

(3) The Board shall determine, by applying the opinion of the selected medical practitioner as set out in his report, and advice from the Scheme actuary, whether the risk presented by that person that he will retire on the ground that he is permanently disabled is such that the likely cost of providing him with benefits under these Regulations is disproportionately high.

(4) The determination of the Board under paragraph (3) shall be subject to appeal by that person in accordance with regulation 66 (appeals against decisions on eligibility); and upon receipt of the final revised report or written statement of opinion prepared in accordance with that regulation, the Board shall redetermine, by applying the opinion set out in the final revised report or written statement of opinion, and advice from the Scheme actuary, whether the risk presented by that person that he will retire on the ground that he is permanently disabled is such that the likely cost of providing him with benefits under these Regulations is disproportionately high.

(5) The likely cost of providing a person with benefits under these Regulations shall be assessed as disproportionately high if it is more than 50 per cent greater than the likely cost of providing such benefits to a person who does not have an identified risk of retirement on that ground.

(6) A person who it is determined under paragraph (3) or (4) presents such a risk shall, in accordance with these Regulations, be ineligible for pension awards payable on the ground of permanent disablement.

(7) The Board may in accordance with this regulation determine the eligibility of a person—

- (a) to whom this regulation applies by virtue of paragraph 1(a) who was previously ineligible for pension awards payable on the ground of permanent disablement under this regulation or under regulation G7 of the 1988 Regulations; or

- (b) to whom this regulation applies by virtue of paragraph 1(b) who was ineligible for pension awards payable on the ground of permanent disablement under regulation G7 of the 1988 Regulations on the date of the election which he is now seeking to cancel under regulation 7(5) of these Regulations,

to receive pension awards payable on the ground of permanent disablement; and in which case, the person concerned shall submit to an examination as set out in paragraph (2).

(8) If a person mentioned in paragraph (7) is eligible for pension awards following a determination of the Board under paragraph (3) or (4) (as applicable), he shall be so eligible from the date of that determination:

Provided that—

- (a) he shall only be so eligible in respect of his pensionable service from that date;
- (b) regulation 26 shall apply to him from that date; and
- (c) in calculating his entitlement to any standard ill-health pension or any enhanced top-up ill-health pension the pensionable service he is entitled to reckon as at the date of his retirement shall only comprise service from the date of the Board's determination under paragraph (3) or (4) (as applicable).