

SCHEDULE 3

TRANSFER ELECTIONS UNDER REGULATION 4(8)

17.—(1) If a police officer is ineligible for pension awards payable on the ground of permanent disablement under regulation G7 of the 1988 Regulations and is an officer to whom regulation 4(5), (6) or (7) applies, he may at the time of making his transfer election request by notice in writing given to the Board that his eligibility for pension awards payable on the ground of permanent disablement be redetermined by the Board in accordance with regulation 6.

(2) Where a police officer gives such notice as is mentioned in sub-paragraph (1), regulation 6 shall apply to him and his eligibility for pension awards payable on the ground of permanent disablement shall be determined by the police authority in accordance with that regulation, subject to any appeal in accordance with regulation 66; and if the Board determine under regulation 6(3) or 6(4) (as applicable) that the risk presented by that officer 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 not disproportionately high he shall be eligible for pension awards payable on the ground of permanent disablement from the date on which his transfer election took effect but only in respect of his pensionable service from that date.

(3) Where a police officer is eligible for pension awards payable on the ground of permanent disablement in accordance with sub-paragraph (2)—

- (a) regulation 26 shall apply to him from the date on which his transfer election took effect; and
- (b) 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 on which his transfer election took effect.

(4) If, as a result of a determination and any appeal following that determination under sub-paragraph (2), the officer is ineligible for pension awards payable on the ground of permanent disablement for the purposes of these Regulations he may within 28 days of receiving notice of such ineligibility, elect to cancel his transfer election by notice in writing given to the Board.

(5) Where a police officer has elected to cancel his transfer election in accordance with paragraph (4), he shall be treated for all purposes as if the transfer election had not been made.