
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 79

**THE POLICE PENSION (NORTHERN
IRELAND) REGULATIONS 2009**

PART 7

MEDICAL QUESTIONS AND APPEALS

Medical questions - permanent disablement

Reference of medical questions - permanent disablement

67.—(1) Where the Board is considering for the purposes of these Regulations whether a person is permanently disabled, they shall refer for decision to a duly qualified medical practitioner selected by them the following questions—

- (a) whether the person concerned is disabled for the performance of the ordinary duties of a member of the police service;
- (b) whether any such disablement as is mentioned in sub-paragraph (a) is likely to be permanent;
- (c) whether the person concerned is also disabled for engaging in any regular employment otherwise than as a police officer; and
- (d) whether any such disablement as is mentioned in sub-paragraph (c) is likely to be permanent.

(2) Where the Board is considering whether the disablement of a person such as is mentioned in regulation 18(3) or 48(1)(a)(i) has ceased, significantly worsened or significantly improved, they shall refer for decision to a duly qualified medical practitioner selected by them the following questions—

- (a) whether the person concerned continues to be disabled for the performance of the ordinary duties of a member of the police service; and, if so
- (b) whether the person concerned is also disabled for engaging in any regular, employment; and
- (c) whether any such disablement as is mentioned in sub-paragraph (b) is likely to be permanent.

(3) Where the Board is considering whether the disablement of a person such as is mentioned in regulation 48(1)(a)(ii) has ceased, or significantly improved, they shall refer for decision to a duly qualified medical practitioner selected by them the following questions—

- (a) whether the person concerned continues to be disabled for engaging in any regular employment; and, if not;
- (b) whether the person concerned continues to be disabled for the performance of the ordinary duties of a member of the police service.

(4) Where, in pursuance of a reference under paragraph (2) or (3), the selected medical practitioner decides that the question mentioned in paragraph (2)(a) or either of the questions referred to in paragraph (3)(a) and (b), as the case may be, is to be answered in the affirmative, no question as to the likelihood of such disablement continuing permanently is to be considered by him.

(5) Where the Board is considering the exercise of their powers under regulation 50, they shall refer for decision to a duly qualified medical practitioner selected by them the question whether the person concerned has brought about or substantially contributed to the disablement by his own default.

(6) The Board may decide to refer a question in paragraph (1), (2), (3) or (5), as the case may be, to more than one duly qualified medical practitioner instead of to a single duly qualified medical practitioner, and in such a case references in this regulation and regulations 68, 69(4) and 70(8) to a selected medical practitioner shall be construed as if they were references to more than one selected medical practitioner.

(7) The decision of the selected medical practitioner on the question or questions referred to him under this regulation shall be expressed in the form of a report and certificate and shall, subject to regulations 68 and 69, be final.

(8) A copy of any such report and certificate shall be supplied to the person who is the subject of that report.