
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

Appeal to independent medical referee

68.—(1) Where a person is dissatisfied with the decision of the selected medical practitioner (“SMP”), on the question or questions referred to him as set out in a report and certificate under regulation 67(7) he may, within 28 days after he has received a copy of the report and certificate, or such longer period as the Board may allow, and subject to and in accordance with the provisions of regulation 70, give notice to the Board that he appeals against that decision.

(2) In any case where within a further 28 days of that notice being received (or such longer period as the Board may allow) that person has supplied to the Board a statement of the grounds of his appeal, the Board shall, except in a case where the person concerned and the Board agree to a further reference to the SMP in accordance with regulation 69(1), notify the Secretary of State accordingly.

(3) The Board shall send to the Secretary of State two copies of the notice of appeal, and the report and certificate appealed against, with the name and address of the appellant and any other information required by the Secretary of State.

(4) The Secretary of State shall appoint the independent medical referee (“IMR”), which shall consist of one or more independent medical practitioners, and where more than one medical practitioner is appointed, the Secretary of State shall designate one of them as the principal independent medical referee (“PIMR”).

(5) The IMR shall report on the question or questions which is or are subject to appeal, except that where there is a PIMR designated only he shall so report, after taking into account the assessment of all other IMR’s appointed by the Secretary of State.

(6) The decision of the IMR shall, if he disagrees with any part of the report of the SMP, be expressed in the form of a report and certificate of his decision on any of the questions referred to the SMP on which he disagrees with the latter’s decision.

(7) The report of the IMR in pursuance of paragraph (4) shall, subject to the provisions of regulation 69, be provided to the Board and the appellant (“the parties to the appeal”).

(8) The Board shall determine the appeal after considering the report of the IMR, and that report shall supersede any other medical report.