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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 113**

**The Police Pensions Regulations (Northern Ireland) 2015**

**PART 13**

**Supplementary**

**CHAPTER 4**

**Appeals in relation to the payment of benefits**

**Appeals to the Department**

**206.**—(1) This regulation applies to a member of the police service who falls within regulation 4(1).

(2) The member or a person claiming payment of a benefit in respect of the member may, subject to regulation 207 (limitation on appeals), appeal to the Department if the member or person claiming payment in respect of the member is aggrieved by any of the following decisions—

- (a) the refusal of the scheme manager to pay a benefit which the member has claimed payment of or is taken to have claimed payment of under these Regulations;
- (b) the refusal of the scheme manager to pay a benefit which the person has claimed payment of or is taken to have claimed payment of under these Regulations;
- (c) the refusal of the scheme manager to pay a benefit the entitlement to which arises on the fulfilment of conditions under these Regulations which do not include a claim for payment;
- (d) a decision by the scheme manager to refuse to accept a claim for payment of a benefit larger than the benefit granted to or in respect of the member;
- (e) a decision by the police pension authority acting in exercise of its functions as scheme manager under regulation 73 (permanent medical unfitness) as to whether a refusal to accept medical treatment is reasonable;
- (f) a decision by the scheme manager under regulation 113 (cancellation of ill-health pension: failure to receive appropriate medical treatment) as to whether a refusal to accept medical treatment is reasonable;
- (g) a decision by the scheme manager under regulation 105 (reduction of pension in case of default) to reduce the amount of pension payable to the member.

(3) Regulation 222 (procedure on appeals to the Department) sets out the procedure for appeals under this regulation to the Department.

**Limitation on appeals against decision of scheme manager**

**207.**—(1) A person may not appeal under regulation 206 (appeals to the Department) against anything done by the scheme manager or the police pension authority acting in exercise of its functions as scheme manager under a power conferred by these Regulations which is expressly stated

to be a power in respect of which the scheme manager or the police pension authority acting in exercise of its functions as scheme manager may exercise in their discretion.

(2) Subject to an appeal tribunal or court referring a medical decision for reconsideration under Schedule 1, in any proceedings under regulation 206 (appeals to the Department) the appeal tribunal is bound by a final decision of a medical authority under Schedule 1.