
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 113

The Police Pensions Regulations (Northern Ireland) 2015

PART 7

Retirement benefits

CHAPTER 5

Review of Ill-health benefits

Review and cancellation of enhanced upper tier ill-health pension

112.—(1) This regulation applies to a person (P) who—

- (a) is receiving payment of both a lower tier ill-health pension and an enhanced upper tier ill-health pension; and
- (b) has not reached P's state pension age.

(2) The scheme manager may periodically review whether the person's medical unfitness has ceased or significantly improved.

(3) A review may be carried out at least every 5 years as determined by the scheme manager.

(4) The scheme manager must refer the questions in regulation 115(3) (referral of medical questions – enhanced upper tier ill-health pension) to a selected medical practitioner for decision.

(5) If the selected medical practitioner gives a report and certificate on the questions referred under regulation 115, containing the decision that P has ceased to be medically unfit for engaging in any regular employment, P ceases to be entitled to payment of the enhanced upper tier ill-health pension.

(6) P ceases to be entitled to payment of an enhanced ill-health pension—

- (a) at the end of the period of 3 months beginning with the date of the report and certificate which contains the decision of the selected medical practitioner that P has ceased to be medically unfit for engaging in any regular employment; or
- (b) if earlier, the day on which P returns to eligible service.

(7) In its application to a member who falls within regulation 4(1)(b), any review by the scheme manager under paragraph (2) shall be of whether the medical unfitness of P has significantly improved to such an extent that P has ceased to be entitled to payment of the enhanced upper tier ill-health pension or lower tier ill-health pension.

(8) P remains entitled to the payment for life of the lower tier ill-health pension unless—

- (a) the scheme manager, on a review under another regulation in this Chapter, refers the questions under regulation 115(2) (referral of medical questions - lower tier ill-health pension) to the selected medical practitioner for decision; and
- (b) the selected medical practitioner gives a report on those questions containing the decision that P has ceased to be medically unfit for performing the ordinary duties of a member of the police service.

(9) In paragraph (2), “medical unfitness” means inability occasioned by infirmity of mind or body to engage in any regular employment.