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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 113**

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

**PART 7**

**Retirement benefits**

**CHAPTER 5**

**Review of Ill-health benefits**

**Cancellation of ill-health pension: failure to receive appropriate medical treatment**

**113.**—(1) This regulation applies if—

- (a) the scheme manager carries out a review under regulation 108 (review of lower tier ill-health pension) or 112 (review and cancellation of enhanced upper tier ill-health pension);
- (b) the selected medical practitioner gives P a written notice and certificate stating the opinion that—
  - (i) P's medical unfitness would be expected to have ceased if P had received normal appropriate medical treatment; and
  - (ii) P is not receiving, or has not received, appropriate medical treatment; and
- (c) the scheme manager gives P a written notice stating the opinion that P's failure to receive appropriate medical treatment is attributable to P's wilfulness or negligence and giving notice of the scheme manager's powers under paragraph (2).

(2) The scheme manager may cease payment of the ill-health pension if the scheme manager decides that—

- (a) P's failure to receive appropriate medical treatment is attributable to P's wilfulness or negligence; and
- (b) P has persisted in that failure after receiving both—
  - (i) a written notice from the selected medical practitioner under paragraph (1)(b); and
  - (ii) a written notice from the scheme manager under paragraph (1)(c).

(3) In this regulation—

“appropriate medical treatment” does not include medical treatment that the scheme manager decides is reasonable for P to refuse<sup>(1)</sup>; and

“medical unfitness” means inability occasioned by infirmity of mind or body to perform the ordinary duties of a member of the police service.

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(1) See provisions on appeals