

SCHEDULE 1

THE NEW FIREFIGHTERS' PENSION SCHEME (ENGLAND)

PART 9

REVIEW, WITHDRAWAL AND FORFEITURE OF AWARDS

Consequences of review

2.—(1) If, on such consideration as is mentioned in rule 1(1), it is found that a person who is in receipt of a higher tier ill–health pension has become capable of undertaking regular employment, his entitlement to that pension shall cease with immediate effect.

(2) Subject to paragraph (3), a lower tier ill–health pension shall continue to be paid to a person who ceases to be entitled to a higher tier ill–health pension.

(3) If—

(a) on such consideration as is mentioned in rule 1(1), it is found that a person who is in receipt of a lower tier ill–health pension has become capable of performing the duties appropriate to the role from which he retired on grounds of ill–health, and

(b) the authority make him an offer of employment in that role (“a paragraph (3)(b) offer”), his entitlement to a lower tier ill–health pension shall cease, with immediate effect, whether he accepts or declines the offer.

(4) A person who accepts or declines a paragraph (3)(b) offer becomes entitled to a deferred pension under rule 3 of Part 3.

(5) If, on such consideration as is mentioned in rule 1(2), it is found that a person whose deferred pension is being paid early has become capable of undertaking regular employment, his entitlement to early payment of the deferred pension shall cease with immediate effect.