

SCHEDULE 1

AMENDMENTS TO THE PRINCIPAL SCHEME

Amendment to the principal Scheme - new Articles 69A and 69B

3. After Article 69 (Refusal of treatment), insert Articles 69A and 69B, as follows—

“Suspension – failure to comply with request or pensioner not at last known address

69A.—(1) Where it appears to the Secretary of State that a decision on an award of a pension, gratuity or supplement (“the award”) should be reviewed under Article 76, he may, by notice in writing —

- (a) require the person awarded the pension, gratuity or supplement (“the pensioner”) to provide, within the period of 3 months starting with the date on which the notice is given or sent to the pensioner, such information or evidence as is reasonably required to determine whether the award should be revised; or
- (b) to attend for a medical examination at a time and place to be appointed.

(2) Where it appears to the Secretary of State that a pensioner may no longer be resident at the last address notified to him, he may, by notice in writing, require the pensioner to provide satisfactory evidence of his current residential address and to do so within the period of 3 months starting with the date on which the notice is given or sent to the pensioner.

- (3) The Secretary of State may suspend payment of the award if the pensioner fails—
- (a) to provide the information or evidence required under paragraph (1)(a) within the time specified in that paragraph;
 - (b) to attend for a medical examination at the appointed time and place pursuant to paragraph (1)(b); or
 - (c) to provide the information or evidence required under paragraph (2) within the time specified in that paragraph

in all cases without supplying a satisfactory explanation for the failure and such suspension shall take effect from the date on which the notice referred to in paragraph (4) is given or sent.

(4) If the Secretary of State suspends payment of the award, he shall notify the pensioner in writing of the decision to suspend, which notification shall inform the pensioner—

- (a) that the award has been suspended;
- (b) of the reasons for the decision to suspend; and
- (c) that his award may be cancelled in the circumstances described in Article 69B.

(5) Where, within the period of 12 months beginning with the date on which a notice such as is referred to in paragraph (1) or paragraph (2) was given or sent—

- (a) the pensioner complies with the requirements contained in any such notice; or
- (b) the Secretary of State, by notice in writing, informs the pensioner that it is no longer necessary for him to provide the information or to attend the medical examination

the suspension shall cease with effect from the date specified in paragraph (6).

- (6) The date of cessation of suspension shall be the date on which—

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- (a) the pensioner complies with the requirement (or where there is more than one requirement the date on which the pensioner has complied with the last outstanding requirement); or
 - (b) the date on which the notice referred to at paragraph (5)(b) was given or sent.
- (7) On cessation of the suspension, the award shall be paid in accordance with the provisions of paragraph 1(7)(A) of Schedule 5.

Cancellation - failure to comply with request

69B.—(1) Where a pensioner whose award has been suspended under Article 69A(does not, within the period of 12 months beginning with date on which the notice referred to in Article 69A(1) or (2) is given or sent to him, comply with a requirement to supply information or evidence or to attend for a medical examination the Secretary of State shall cancel that award.

(2) A pensioner whose award has been cancelled under paragraph (1) may make a further claim in respect of the matters which gave rise to that award.

(3) The Secretary of State shall send, to the pensioner’s last known address, written notification of the cancellation of the award which shall inform the pensioner—

- (a) that the award has been cancelled;
- (b) of the reasons for such cancellation; and
- (c) that he may make a further claim for the award in question in accordance with paragraph (2).

(4) Where a pensioner makes a further claim under paragraph (2), the award shall, if one or more of the conditions specified in paragraph (5) is satisfied, be paid in accordance with paragraph 1(7)(B) of Schedule 5.

(5) The conditions referred to in paragraph (4) are that—

- (a) the pensioner has supplied the information or evidence required in a notice given or sent under Article 69A(1)(a) or (2); or
- (b) the pensioner has attended for a medical examination as required by the Secretary of State; or
- (c) the Secretary of State, by notice in writing, has informed the pensioner that it is no longer necessary for him to supply the information or evidence referred to at (a) above, or to attend the medical examination referred to at (b) above.”