

## RULE K3

### Reduction of award in case of default

**Rule K3 explains the power of a fire authority to reduce an ill-health award where the person contributed to the infirmity by his or her own default.**

**Grounds for reduction**

Rule K3(1) explains that if you are permanently disabled but you brought about, or contributed to, the infirmity by your own default the fire and rescue authority has the discretion to reduce any ill-health award payable to you.

**Amount of reduction**

Rule K3(1) says that the reduction can be up to half of the amount otherwise payable. However, under Rule K3(2), when you attain age 60 the pension payable must not be less than your "notional deferred pension".

Your "notional deferred pension" is explained by Rule K3(3) as the deferred pension to which you would have been entitled on your last day of service had you not been entitled, instead, to an ill-health pension.

**Points To Note**

1. If you are entitled to a guaranteed minimum pension ("GMP"), your pension must not be less than the GMP from State pension age.
2. The question of default will be considered as part of the medical opinion provided by the independent qualified medical practitioner.
3. Rule K3 used to allow an injury award to be reduced in the event of default but the reference was removed from the Rule when injury provisions were transferred to the Firefighters' Compensation Scheme with effect from 1 April 2006.