

SUBPARAGRAPH (II) OF THIS PARAGRAPH AND ALLOWED UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH DOES NOT APPLY TO AN ACCIDENTAL DISABILITY BENEFICIARY.

(C) A beneficiary restored to active service at a salary less than the average final compensation upon the basis of which he was retired shall not become a member of the retirement system until his salary is at least equal to such average final compensation.

[(v) The amount of the pension reduction required under subparagraph (ii) and allowed under subparagraph (iii) of this paragraph shall be one dollar for every two dollars by which his current compensation exceeds the limitation provided under this paragraph.]

[(c)] (D) If a disability beneficiary under the age of 62 is restored to active service and if his annual compensation then or at any time before he becomes 62 years old is equal to or greater than his average final compensation at retirement, his allowance shall cease, he shall become a member of this pension system again. Notwithstanding any other provision in this subtitle, all eligibility and creditable service previously earned shall be restored, and in addition, on his subsequent retirement, he shall be credited with all the service as a member creditable to him at the time of retirement. However, if he is restored to membership after he is 50 years old, his pension on subsequent retirement may not exceed the pension that he was receiving immediately before his last restoration to membership and the pension that may have accrued to him as a new member on account of service since his last restoration to membership, provided that the total pension on his subsequent retirement does not exceed the rate percent he would have received had he remained in service during the period of his prior retirement.

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(9) (b) [If the medical board reports and certifies to the board of trustees that any disability beneficiary is engaged in or is able to engage in a gainful occupation that pays more than the difference between his retirement allowance and his average final compensation plus \$3,000, and if the board of trustees concurs in the report, then the amount of his pension shall be reduced to an amount which, together with his annuity and the amount earnable by him, shall be equal to the amount of his average final compensation plus \$3,000. If his earning capacity changes later, the amount of his pension may be further modified, except that the new pension may not exceed the amount of the pension originally granted nor an amount that, when added to the amount earnable by the beneficiary together with his annuity, equals the amount of his average final compensation plus \$3,000. A beneficiary restored to active service at a salary less than the average final compensation on the basis of which he was retired may not become a member of the retirement system until his salary is at least equal to the average final compensation. In this paragraph, "retirement allowance" means the allowance payable without optional modification as provided in subsection (12)(a) of this section. The allowed earnings of a disability pensioner shall be determined by the difference between his retirement allowance at the time of his retirement and his average final compensation.]

(I) IN THIS PARAGRAPH, "RETIREMENT ALLOWANCE" MEANS THE ALLOWANCE PAYABLE WITHOUT OPTIONAL MODIFICATION AS