

SUCH EXAMINATION TO BE MADE AT THE PLACE OF RESIDENCE OF SAID BENEFICIARY OR OTHER PLACE MUTUALLY AGREED UPON, BY A PHYSICIAN OR PHYSICIANS DESIGNATED BY THE BOARD OF TRUSTEES, SHOULD ANY DISABILITY BENEFICIARY WHO HAS NOT YET ATTAINED THE AGE OF 60 REFUSE TO SUBMIT TO AT LEAST ONE MEDICAL EXAMINATION IN ANY SUCH YEAR BY A PHYSICIAN OR PHYSICIANS DESIGNATED BY THE BOARD OF TRUSTEES, HIS ALLOWANCE MAY BE DISCONTINUED UNTIL HIS WITHDRAWAL OF SUCH REFUSAL, AND SHOULD HIS REFUSAL CONTINUE FOR ONE YEAR, ALL HIS RIGHTS IN AND TO HIS PENSION MAY BE REVOKED BY THE BOARD OF TRUSTEES.

(A) SHOULD THE MEDICAL BOARD REPORT AND CERTIFY TO THE BOARD OF TRUSTEES THAT SUCH DISABILITY BENEFICIARY IS ENGAGED IN OR IS ABLE TO ENGAGE IN A GAINFUL OCCUPATION PAYING MORE THAN THE DIFFERENCE BETWEEN HIS RETIREMENT ALLOWANCE AND HIS AVERAGE FINAL COMPENSATION, AND SHOULD THE BOARD OF TRUSTEES CONCUR IN SUCH 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 EQUAL THE AMOUNT OF HIS AVERAGE FINAL COMPENSATION. SHOULD HIS EARNING CAPACITY BE LATER CHANGED, THE AMOUNT OF HIS PENSION MAY BE FURTHER MODIFIED; PROVIDED, THAT THE NEW PENSION SHALL NOT EXCEED THE AMOUNT OF THE PENSION ORIGINALLY GRANTED NOR AN AMOUNT, WHICH, WHEN ADDED TO THE AMOUNT EARNABLE BY THE BENEFICIARY TOGETHER WITH HIS ANNUITY, EQUALS THE AMOUNT OF HIS AVERAGE FINAL COMPENSATION. 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. 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.

(B) SHOULD A DISABILITY BENEFICIARY UNDER AGE 60 BE RESTORED TO ACTIVE SERVICE AT A COMPENSATION OF NOT LESS THAN HIS AVERAGE FINAL COMPENSATION, HIS RETIREMENT ALLOWANCE SHALL CEASE, HE SHALL AGAIN BECOME A MEMBER OF THE RETIREMENT SYSTEM AND HE SHALL CONTRIBUTE THEREAFTER AT THE SAME RATE HE PAID PRIOR TO DISABILITY. ANY PRIOR SERVICE CERTIFICATE ON THE BASIS OF WHICH HIS SERVICE WAS COMPUTED AT THE TIME OF HIS RETIREMENT SHALL BE RESTORED TO FULL FORCE AND EFFECT, AND IN ADDITION, UPON HIS SUBSEQUENT RETIREMENT HE SHALL BE CREDITED WITH ALL HIS SERVICE AS A MEMBER.

(6) DEATH BENEFIT. — (A) UPON THE RECEIPT OF PROPER PROOFS OF THE DEATH OF A MEMBER IN SERVICE, AND PROVIDED THAT NO BENEFIT IS PAYABLE UNDER THE PROVISIONS OF SUBSECTION (B); (B) OF THIS SECTION, THERE SHALL BE PAID TO THE MEMBER'S ESTATE OR TO THE PERSON HE HAS NOMINATED BY WRITTEN DESIGNATION DULY EXECUTED AND FILED WITH THE BOARD OF TRUSTEES:

(I) THE MEMBER'S ACCUMULATED CONTRIBUTIONS; AND

(II) IF THE MEMBER HAS ONE OR MORE YEARS OF CREDITABLE SERVICE, OR DIES IN THE COURSE OF THE ACTUAL PERFORMANCE OF