

ALLOWANCE MAY NOT RECEIVE ANY ALLOWANCE ON ACCOUNT OF ORDINARY DISABILITY.

(8) ON RETIREMENT FOR ACCIDENTAL DISABILITY, A MEMBER SHALL RECEIVE A SERVICE RETIREMENT ALLOWANCE IF HE IS 62 YEARS OLD OR OLDER; OTHERWISE HE SHALL RECEIVE AN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE WHICH SHALL CONSIST OF:

(A) AN ANNUITY WHICH SHALL BE THE ACTUARIAL EQUIVALENT OF HIS ACCUMULATED CONTRIBUTIONS AT THE TIME OF HIS RETIREMENT; AND

(B) A PENSION OF $66 \frac{2}{3}$ PERCENT OF HIS AVERAGE FINAL COMPENSATION, BUT HIS TOTAL ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE MAY NOT EXCEED HIS AVERAGE FINAL COMPENSATION.

(9) (A) ONCE EACH YEAR DURING THE FIRST 5 YEARS FOLLOWING THE RETIREMENT OF A MEMBER ON A DISABILITY RETIREMENT ALLOWANCE, AND ONCE IN EVERY 3-YEAR PERIOD THEREAFTER, THE BOARD OF TRUSTEES MAY, AND ON HIS APPLICATION SHALL, REQUIRE ANY DISABILITY BENEFICIARY WHO IS UNDER THE AGE OF 62 TO UNDERGO A MEDICAL EXAMINATION. THE EXAMINATION SHALL BE MADE AT THE RESIDENCE OF THE BENEFICIARY OR ANY OTHER PLACE MUTUALLY AGREED ON, BY THE PHYSICIAN DESIGNATED BY THE BOARD OF TRUSTEES. IF A DISABILITY BENEFICIARY WHO IS UNDER THE AGE OF 62 REFUSES TO SUBMIT TO THE MEDICAL EXAMINATION, HIS ALLOWANCE MAY BE DISCONTINUED UNTIL HE WITHDRAWS THE REFUSAL. IF HIS REFUSAL CONTINUES FOR 1 YEAR, ALL HIS RIGHTS IN AND TO HIS PENSION MAY BE REVOKED BY THE BOARD OF TRUSTEES.

(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 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, IS EQUAL TO THE AMOUNT OF HIS AVERAGE FINAL COMPENSATION. IF HIS EARNING CAPACITY CHANGES LATER, THE AMOUNT OF HIS PENSION MAY BE FURTHER MODIFIED, IF THE NEW PENSION DOES 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. A BENEFICIARY RESTORED TO ACTIVE SERVICE AT A SALARY THAT IS 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 ANY OPTIONAL MODIFICATION AS PROVIDED IN SUBSECTION (12)(A) OF THIS SECTION. THE ALLOWED EARNINGS OF A DISABILITY BENEFICIARY SHALL BE DETERMINED BY THE DIFFERENCE BETWEEN HIS RETIREMENT ALLOWANCE AT THE TIME OF HIS RETIREMENT AND HIS AVERAGE FINAL COMPENSATION.