
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 279

The Local Government (Discretionary
Payments) Regulations (Northern Ireland) 2001

Part III

Compensation for Premature Retirement

Adjustments to compensation: other receipts

Redundancy payments

11.—(1) Where—

- (a) the period with which an eligible person is credited under regulation 7 exceeds 6 $\frac{2}{3}$ years; and
- (b) he has received, or is entitled to receive, in respect of the cessation of his former employment—
 - (i) a redundancy payment to which he is entitled under Part XII of the 1996 Order (redundancy payments); or
 - (ii) compensation paid to him under Part II of these Regulations,

his compensation under this Part shall be abated in accordance with the following provisions.

(2) In the case of lump sum compensation—

- (a) if it exceeds the amount calculated in accordance with paragraph (3), it shall be reduced by that amount; and
- (b) if the amount so calculated equals or exceeds it, it shall not be payable (and any such excess (“the outstanding balance”) shall be deducted from the annual compensation as mentioned in paragraph (4)).

(3) The amount to be calculated in accordance with this paragraph is an amount equal to 30 per cent. of the aggregate amount of the redundancy payments referred to in paragraph (1)(b)(i) and (ii), multiplied by the excess mentioned in paragraph (1)(a) (expressed in years and fractions of a year), less the aggregate amount of any reductions made in those payments in accordance with the 1965 Regulations.

(4) Annual compensation payable under regulation 9 shall be reduced by the appropriate percentage—

- (a) if paragraph (2)(b) applies, of the outstanding balance; or
- (b) if, apart from the provisions of paragraph (2), the person is not entitled to receive lump sum compensation, of the amount calculated in accordance with paragraph (3);

and in this paragraph “the appropriate percentage” means the percentage specified in the Table in Schedule 2 in relation to a person of the eligible person’s age and sex.