



# London Regional Transport Act 1984

## 1984 CHAPTER 32

### PART III

#### MISCELLANEOUS AND GENERAL

##### *Compensation for loss of employment, etc.*

#### **48 Compensation for loss of employment, etc.**

- (1) The Secretary of State may by regulations provide for the payment, by such persons as may be prescribed by or determined under the regulations, in such cases and to such extent as may be so prescribed or determined, of pensions, allowances or gratuities by way of compensation to or in respect of persons who have suffered loss of employment or loss or diminution of emoluments by reason of—
- (a) the disposal under section 9(1) of this Act of any part of the undertaking of London Regional Transport or of the whole or any part of the undertaking of any of their subsidiaries;
  - (b) any transfer of property, rights or liabilities under section 27, 46 or 47 of this Act; or
  - (c) any preparatory steps taken (after the making of the scheme or order in question) for the purposes of any such transfer which does not in fact take place, or taken for the purposes of any action required by a direction under section 10 of this Act which ceases to be so required before the action is taken.
- (2) Regulations under this section may—
- (a) include provision as to the manner in which and the person to whom any claim for compensation is to be made, and for the determination of all questions arising under the regulations ;
  - (b) make different provision as respects different classes of persons and different circumstances and make or authorise the Secretary of State to make exceptions and conditions; and
  - (c) be framed so as to have effect from a date earlier than the making of the regulations ;

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*Status: This is the original version (as it was originally enacted).*

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but regulations having effect from a date earlier than the date of their making shall not place any individual who is qualified to participate in the benefits for which the regulations provide in a worse position than he would have been in if the regulations had been so framed as to have effect only from the date of their making.

- (3) Regulations under this section may include all or any of the following provisions, namely—
- (a) provision authorising the payment, without probate or other proof of title, of any sum due under the regulations in respect of a person who has died to his personal representatives or such other persons as may be prescribed by the regulations ;
  - (b) provision rendering void any assignment of or charge on, or any agreement to assign or charge, any benefit under the regulations, and provision that on the bankruptcy of a person entitled to such a benefit no part of it shall pass to any trustee or other person acting on behalf of the creditors except in accordance with an order made by a court in pursuance of any enactment specified in the regulations ; and
  - (c) such incidental, supplementary, consequential and transitional provisions as appear to the Secretary of State to be necessary or expedient.
- (4) Without prejudice to the preceding provisions of this section, regulations under this section may, in relation to any compensation required to be paid under the regulations by any person ("the person primarily liable"), specify persons who are to be liable to contribute towards that person's liability in accordance with subsections (5) and (6) below ("contributories ").
- (5) Where contributories have been so specified in relation to any compensation, the contributories may arrange to make to the person primarily liable in respect of that compensation payments by way of contribution towards that person's liability.
- (6) If the person primarily liable in respect of any compensation satisfies the Secretary of State that any contributory has not made proper contribution towards that person's liability, whether by payment of money or by finding employment for persons to or in respect of whom the compensation has become payable, the Secretary of State may require that contributory to make such payment to the person primarily liable as appears to the Secretary of State to be just.
- (7) Regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.