



# Compensation Of Displaced Officers (War Service) Act 1945

1945 CHAPTER 10 8 and 9 Geo 6

An Act to provide for the compensation of persons who have been engaged in war service and are not re-employed or suffer loss of employment, reduction of emoluments or deterioration in their conditions of employment by reason of changes affecting the functions of local or public authorities or public utility undertakers or changes in the management of schools. [7th March 1945]

## Modifications etc. (not altering text)

C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

## 1 Application of Act to changes in the functions of local authorities.

This Act shall apply in any case where—

- (a) in consequence of any enactment or statutory order passed or made before or after the passing of this Act (hereafter in this Act referred to as “the special Act”) or anything done thereunder, any of the following changes (hereafter in this Act referred to as “the change in functions”) have occurred in relation to any local or public authority (hereafter in this Act referred to as “the local authority”), namely, that any functions have ceased to be exercisable by the local authority (whether as a result of a transfer to another authority or otherwise) or any functions have been transferred to the local authority from another authority or any functions exercisable by the local authority have been altered; and
- (b) the special Act makes provision for the compensation of affected officers of the local authority who held office immediately before the special Act came into operation, and for that purpose applies or incorporates the Fourth Schedule to the <sup>M1</sup>Local Government Act, 1933, with or without modifications or adaptations:

Provided that this section shall not affect the application of . . . <sup>F1</sup> section six of this Act.

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Compensation of Displaced Officers (War Service) Act 1945 (repealed). (See end of Document for details)*

**Textual Amendments**

**F1** Words repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), [Sch. Pt. V](#)

**Marginal Citations**

**M1** [1933 c. 51](#).

**2—5** ..... **F2**

**Textual Amendments**

**F2** [Ss. 2–5, 6\(2\), 8\(2\), 9\(a\)\(c\)\(e\)\(f\)](#) repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), [Sch. Pt. V](#)

**6 Amendment of Fourth Schedule to Local Government Act, 1933, and section sixteen of Electricity (Supply) Act, 1919.**

(1) Any period during which a person has been engaged in war service shall be reckoned for the purposes of the Fourth Schedule to the <sup>M2</sup>Local Government Act, 1933, as applied by or incorporated, with or without modifications or adaptations, in any enactment or statutory order (except this Act or any other enactment or order which contains a provision to the like effect as this section), as a period of service in his office, and where any such period is so reckoned, his emoluments during that period shall, for the purposes of sub-paragraph (2) of paragraph 4 of the said Schedule as so applied or incorporated, be deemed to be such as he would have received if he had not been engaged in war service.

(2) ..... **F3**

(3) This section shall be deemed to have had effect as from the first day of September, nineteen hundred and thirty-nine.

**Textual Amendments**

**F3** [Ss. 2–5, 6\(2\), 8\(2\), 9\(a\)\(c\)\(e\)\(f\)](#) repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), [Sch. Pt. V](#)

**Marginal Citations**

**M2** [1933 c. 51](#).

**7 Increase of grants to be defrayed out of moneys provided by Parliament.**

Any increase ascribable to the provisions of this Act in any grant payable by any Minister of the Crown shall be defrayed out of moneys provided by Parliament.

**8 Interpretation.**

(1) In this Act the following expressions have the meanings hereby respectively assigned to them:—

“emoluments” includes all salary, wages, fees, poundage and other payments paid or made to an officer as such for his own use, including

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the money value of any apartments, rations or other allowances in kind appertaining to his office, but does not include payments for overtime or any sum paid to him to cover travelling expenses, cost of office accommodation, assistance of deputies, or clerical, or other assistance;

“enactment” includes an enactment in a local or personal Act;

“office” means any place, situation or employment, and the expression “officer” shall be construed accordingly;

F4

“statutory order” means any order or scheme made under an enactment;

“war service” has the same meaning as in the <sup>M3</sup>Local Government Staffs (War Service) Act, 1939:

Provided that, in a case where the said expression has a different meaning in the special Act or in any such enactment or statutory order as is referred to in section five of this Act, it shall have the same meaning in this Act.

(2) ..... F5

(3) Where the special Act provides for appointing a day which, for the purposes of the provisions relating to the compensation of officers, is substituted for the date on which the special Act comes into operation, references in this Act to the said date shall be construed as referring to the said appointed day.

**Textual Amendments**

F4 Definitions repealed by Statute Law (Repeals) Act 1975 (c. 10), Sch. Pt. V

F5 Ss. 2–5, 6(2), 8(2), 9(a)(c)(e)(f) repealed by Statute Law (Repeals) Act 1975 (c. 10), Sch. Pt. V

**Marginal Citations**

M3 1939 c. 94.

**9 Application to Scotland.**

This Act shall, in its application to Scotland, have effect subject to the following modifications—

(a) ..... F6

(b) for references to the Fourth Schedule to the <sup>M4</sup>Local Government Act, 1933, there shall be substituted references to the provisions of section one hundred and twenty of the <sup>M5</sup>Local Government (Scotland) Act, 1889, or of the Second Schedule to the <sup>M6</sup>Rating (Scotland) Act, 1926, and paragraph (i) of subsection (1) of section seven of the <sup>M7</sup>Local Government (Scotland) Act, 1929;

(c) ..... F6

(d) in subsection (1) of section six for the words “sub-paragraph (2) of paragraph 4 of the said Schedule” there shall be substituted the words “the said provisions”;

(e) ..... F6

**Textual Amendments**

F6 Ss. 2–5, 6(2), 8(2), 9(a)(c)(e)(f) repealed by Statute Law (Repeals) Act 1975 (c. 10), Sch. Pt. V

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**Changes to legislation:** There are currently no known outstanding effects for the Compensation of Displaced Officers (War Service) Act 1945 (repealed). (See end of Document for details)

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#### Marginal Citations

- M4** 1933 c. 51.  
**M5** 1889 c. 50.  
**M6** 1926 c. 47.  
**M7** 1929 c. 25.

## 10 Provisions as to Northern Ireland.

- (1) ..... <sup>F7</sup>
- (2) This Act, . . . <sup>F8</sup> shall not extend to Northern Ireland.

#### Textual Amendments

- F7** S. 10(1) repealed by [Northern Ireland Constitution Act 1973 \(c. 36\), Sch. 6 Pt. I](#)
- F8** Words repealed by [Northern Ireland Constitution Act 1973 \(c. 36\), Sch. 6 Pt. I](#)

## 11 Citation.

This Act may be cited as the Compensation of Displaced Officers (War Service) Act, 1945.

SCHEDULE

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F9F9 SCHEDULE

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**Textual Amendments**

**F9** Schedule repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), [Sch. Pt. V](#)

.....  
**F9**

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**Changes to legislation:**

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