
STATUTORY INSTRUMENTS

1970 No. 1889

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government (Compensation)
(Amendment) Regulations 1970

<i>Made</i>	- - - -	<i>14th December 1970</i>
		<i>22nd December</i>
<i>Laid before Parliament</i>		<i>1970</i>
<i>Coming into Operation</i>		<i>1st January 1971</i>

The Secretary of State for the Environment, as the Minister determined to be appropriate in relation to the persons to whom these regulations relate, in exercise of his powers under section 60(2) of the Local Government Act 1958 as extended and amended by section 9(2) and (3) of and paragraph 8 of Schedule 2 to the Local Authority Social Services Act 1970 and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation and commencement

1.—(1) These regulations may be cited as the Local Government (Compensation) (Amendment) Regulations 1970 and shall come into operation on 1st January 1971.

(2) The Local Government (Compensation) Regulations 1963(1) the Local Government (Compensation) (Amendment) Regulations 1965(2) the Local Government (Compensation) (Amendment) Regulations 1968(3) and these regulations may be cited together as the Local Government (Compensation) Regulations 1963 to 1970.

Interpretation

2.—(1) In these regulations—

“enactment” includes any instrument made under an enactment;

“the principal regulations” means the Local Government (Compensation) Regulations 1963;

“the 1965 regulations” means the Local Government (Compensation) (Amendment) Regulations 1965.

(1) 1963 II, p. 1634.
(2) (1965 I, p. 1786).
(3) (1968 II, p. 2407).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

(2) Unless the context otherwise requires, any reference in these regulations to the provisions of any enactment shall be construed as a reference to those provisions as amended, modified or re-enacted by any subsequent enactment.

(3) The Interpretation Act 1889 shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of the principal regulations

3.—(1) In regulation 2(1) of the principal regulations (interpretation) as amended⁽⁴⁾—

(a) in the definition of “compensating authority”, after paragraph (b) there shall be inserted the following paragraph—

“(bb) in the case of a person who suffers loss of employment or loss or diminution of emoluments which is attributable to the provisions of section 2 or 6 of the Local Authority Social Services Act 1970, the authority by whom the person was employed immediately prior to the loss or diminution in question;”;

(b) in the definition of “material date”, after the words “under such provision” there shall be inserted the words “or in relation to any person who suffers loss of employment or loss or diminution of emoluments which is attributable to any provision of section 2 or 6 of the Local Authority Social Services Act 1970 mentioned in the said column 1,”.

(2) In regulation 4 of the principal regulations (grounds of entitlement to compensation) as substituted by regulation 5 of the 1965 regulations, after the words “Police Act 1964” there shall be inserted the words “or of section 2 or 6 of the Local Authority Social Services Act 1970”.

(3) At the end of sub-paragraph (b) of regulation 7(1) of the principal regulations (conditions for payment of resettlement compensation) there shall be added the words “or, if the loss is attributable to the provisions of section 2 or 6 of the Local Authority Social Services Act 1970, not later than thirteen weeks after the commencement of the Local Government (Compensation) (Amendment) Regulations 1970, whichever is the later”.

(4) At the end of the schedule to the principal regulations (material date) as added by regulation 21 of the 1965 regulations there shall be added, beneath the appropriate headings as repeated herein, the entries set out below:—

<i>Provisions to which loss or diminution is attributable</i>	<i>The purposes of regulations 3 and 5 of these regulations</i>	<i>Any other purposes of these regulations</i>
“Section 2 or 6 of the Local Authority Social Services Act 1970, except the provisions therein mentioned in the entry next following	The date on which an order is made under section 15 of that Act bringing the provision into force in the area of the compensating authority, or the date on which the loss or diminution occurred, whichever is the earlier.	The date on which the provision comes into force in that area, or the date on which the loss or diminution occurred, whichever is the earlier.
An order made under section 2(2) or a direction issued under section 2(4) of the Local Authority Social Services Act 1970	The date on which the order is made or the direction issued.	The date on which the order or direction comes into force, or the date on which the loss or diminution occurred, whichever is the earlier.”

(4) The relevant amending instrument is S.I. 1965/571 (1965 I, p. 1786).

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more***

14th December 1970

Peter Walker
Secretary of State for the Environment

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more***

EXPLANATORY NOTE

These Regulations apply the Local Government (Compensation) Regulations 1963 to local authority officers who suffer loss of employment or loss or diminution of emoluments attributable to the Local Authority Social Services Act 1970.

The Regulations can have retrospective effect in certain circumstances, as expressly provided by section 9(3) of that Act.