
STATUTORY INSTRUMENTS

1974 No. 759

The Police (Compensation) Regulations 1974

PART IV

LONG-TERM COMPENSATION

Conditions for payment of long-term compensation

12.—(1) Without prejudice to any other requirement of these Regulations, the conditions for the payment of long-term compensation to any person are that—

- (a) he has suffered loss of office as a member of a police force or loss or diminution of emoluments attributable to any provision of the Act or of any instrument under the Act not later than 10 years after the material date;
- (b) he had not at the date of the loss or diminution attained the age of compulsory retirement;
- (c) he had been, for a period of not less than 5 years immediately before the material date, continuously engaged (without a break of more than 12 months at any one time) for the whole or part of his time in relevant employment;
- (d) he has made a claim for such compensation in accordance with the provisions of Part VII of these Regulations not later than 2 years after the loss or diminution which is the cause of the claim or 2 years after the coming into operation of these Regulations whichever is the later; and
- (e) if the cause of the claim for compensation is loss of office as a member of a police force—
 - (i) the loss has occurred for some reason other than misconduct or incapacity to perform such duties as, immediately before the loss, he was performing or might reasonably have been required to perform; and
 - (ii) he has not, subject to paragraph (2), after the police authority either informed him in writing that his services were to be terminated or were likely to be terminated or gave him written notice of termination of services, been offered in writing any relevant employment which is reasonably comparable with the office which he has lost.

(2) Regulation 7(2) and (3) (which relate to offers of employment) shall apply for the purposes of this Regulation in ascertaining whether a person has been offered reasonably comparable employment.

(3) Claims for long-term compensation for loss of office shall in all respects be treated as claims for such compensation for the loss of emoluments occasioned thereby and the provisions of these Regulations shall apply to all such claims accordingly.