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STATUTORY INSTRUMENTS

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**1996 No. 1680**

**The Local Government (Discretionary  
Payments) Regulations 1996**

**PART III**

**COMPENSATION FOR PREMATURE RETIREMENT**

*Adjustments to compensation: other receipts*

**Redundancy payments**

**12.—(1) Where—**

- (a) the period with which an eligible person is credited under regulation 8 exceeds 6 <sup>2</sup>/<sub>3</sub> 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 VI of the 1978 Act (redundancy payments)(1); 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 ascertained under 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 10 shall be reduced by the appropriate percentage—

- (a) if paragraph (2)(b) applies, of the outstanding balance; or

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(1) Part VI has been amended by the Employment Act 1980 (c. 42), s.20, Sch. 1, paragraph 33, Sch. 2; the Employment Act 1982 (c. 46), ss. 20, 21, Sch. 2 paragraph 6(2), Sch. 3 Pt. I, Sch. 4; the Employment Act 1989 (c. 38), ss. 16(1), 17, 29, Sch. 6 paragraph 20, Sch. 7 Pt. II, Sch. 9 paragraph 3; the Employment Act 1990, ss. 13, 16, Sch. 3; the Trade Union Reform and Employment Rights Act 1993 (c. 19), s.49, Sch. 8; S.I.1995/1953 Art. 3, Sch paragraphs 8 to 10; S.I. 1995/2587, reg. 13(6).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(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 under paragraph (3)); and in this paragraph “the appropriate percentage” means the percentage specified in the Table in Schedule 1 in relation to a person of the eligible person’s age and sex.