
STATUTORY INSTRUMENTS

1998 No. 719 (S.37)

EDUCATION, SCOTLAND

The Teachers (Compensation for Premature Retirement and Redundancy) (Scotland) Amendment Regulations 1998

<i>Made</i>	- - - -	<i>4th March 1998</i>
<i>Laid before Parliament</i>		<i>24th March 1998</i>
<i>Coming into force</i>	- -	<i>15th April 1998</i>

The Secretary of State, in exercise of the powers conferred on him by section 24 of the Superannuation Act 1972(1) and of all other powers enabling him in that behalf, and with the consent of the Treasury(2), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Teachers (Compensation for Premature Retirement and Redundancy) (Scotland) Amendment Regulations 1998 and shall come into force on 15th April 1998.

Discretionary compensation for termination

2. In regulation 16B of the Teachers (Compensation for Premature Retirement and Redundancy) (Scotland) Regulations 1996(3) for the words from “B is the amount” to the end there shall be substituted—

“B is the total of—

- (a) any redundancy payment to which he is entitled under Part XI of the Employment Rights Act 1996(4); and
- (b) any compensation which is paid to him under Part III of these Regulations (additional compensation for redundancy).”.

(1) 1972 c. 11.

(2) This function was transferred to the Treasury by the Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981 (S.I.1981/1670).

(3) S.I. 1996/2317, amended by S.I. 1997/675.

(4) 1996 c. 18.

Status: This is the original version (as it was originally made).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

St Andrew's House,
Edinburgh
26th February 1998

Brian Wilson
Minister of State, Scottish Office

We consent,

4th March 1998

Graham Allen
Jim Dowd
Two of the Lords Commissioners of Her
Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 16B of the Teachers (Compensation for Premature Retirement and Redundancy) (Scotland) Regulations 1996.

Regulation 16B of those Regulations provides for discretionary compensation payable to teachers whose employment ceases because of redundancy or in the interests of the efficient exercise of the employer's functions but who are not then eligible for early payment of pension benefits. The compensation takes the form of a lump sum calculated by reference to length of qualifying employment and the amount of a week's pay (within certain limits) less the amount of any compensation received under regulation 16 (additional compensation in certain cases of redundancy). These Regulations amend regulation 16B so that the amount of compensation is reduced also by any redundancy payment to which the teacher is entitled under Part XI of the Employment Rights Act 1996.