



Local Government Staffs (War Service) Act (Northern Ireland) 1939

1939 CHAPTER 27

CIVIL REMUNERATION

1 Payments to make up civil remuneration.

- (1) Where a person serving in any capacity with a local authority (hereafter in this section referred to as “his civil capacity”) ceases so to serve in order to undertake war service, the local authority shall have power to make to or in respect of him such payments as are hereafter in this section provided.
- (2) While any such person is engaged in war service the local authority may pay to him, or to or for the benefit of his wife or other dependants nominated by him, a sum which shall not exceed the remuneration which he would have received if he had continued to serve in his civil capacity, after deducting therefrom the amount of his war service pay.
- (3) In the event of the notification of the death of any such person while engaged in war service, or of his having become missing while so engaged, being given by the authority competent in that behalf, the local authority may, during a period not exceeding twenty-six weeks from the date of the notification, pay to or for the benefit of his wife or other dependants such sum as might have been paid to him under the last preceding sub-section if he had been so engaged during that period:

Provided that, in fixing the sum to be paid under this sub-section, regard shall be had to any pension or other sum payable to or for the benefit of the wife or other dependants out of public or charitable funds.

Ss.2#7 rep. (exc. as respects superannuation of certain existing officers) by 1950 c.10 (NI)

SUPPLEMENTAL

8 Interpretation.

In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them that is to say:—

“Local authority” means any person or body of persons who receive or expend the proceeds of any local rate, and any other public body which the Ministry of Home Affairs^{F1} may determine to be a local authority for the purposes of this Act;

“Period of the present emergency” means the period beginning with the first day of September, nineteen hundred and thirty-nine, and ending with such day as the Governor of Northern Ireland may by Order in Council declare to be the date on which the emergency that was the occasion of the passing of this Act came to an end;

“Remuneration” means salary, wages and emoluments;

Definitions rep. (exc. as respects superannuation of certain existing officers) by 1950 c.10 (NI)

“War service” means service, during the period of the present emergency, in any of the naval, military or air forces of the Crown, and any employment during that period which the Ministry of Home Affairs^{F1} considers may properly be treated for the purposes of this Act in the same manner as service in those forces;

“War service pay,” in relation to the remuneration which any person would have received if he had continued to serve in any capacity with a local authority, means his pay (including marriage, family and other similar allowances) in respect of his war service, or, in a case where he ceased to serve not only in that capacity but also in any other such capacity or capacities in order to undertake war service, an amount which bears the same proportion to his pay (including marriage, family and other similar allowances) in respect of his war service as the remuneration which he would have received if he had continued to serve in the first mentioned capacity bears to the total remuneration which he would have received if he had continued to serve in both or all of those capacities.

F1 Functions transf. SRO (NI) 1944/43, 61 (pp.90,96); SRO (NI) 1964/205; 1973/504; 1976 NI 6

9 Short title and commencement.

(1) This Act may be cited as the Local Government Staffs (War Service) Act (Northern Ireland), 1939.

(2) This Act shall be deemed to have come into operation at the beginning of the period of the present emergency.

Changes to legislation:

There are currently no known outstanding effects for the Local Government Staffs (War Service) Act (Northern Ireland) 1939.