

SCHEDULE

Section 1.

COMPENSATION AND SUPERANNUATION BENEFITS OF OFFICERS

PART I

Compensation of displaced officers

1 If, in consequence of the passing of section one of this Act or of anything done in pursuance thereof, any person, not being a person entitled to be transferred to the Ministry of Agriculture and Fisheries under subsection (2) of that section on an application made for the purpose, but being a person who—

- (a) was on the appointed day an officer or servant of a county council employed by that council in a whole-time capacity wholly or mainly on or in connection with the giving of advice or education on agricultural matters ; and
- (b) had, between the twenty-third day of August, nineteen hundred and thirty-nine and the appointed day, been continuously employed in a whole-time capacity in local government service, or, while not so employed, been engaged in a whole-time capacity in war service or partly engaged in war service and partly employed in local government service ;

suffers any direct pecuniary loss by reason of the determination of his appointment or the diminution of his emoluments, he shall be entitled to recover compensation for his loss from that county council:

Provided that no person shall, by virtue of this Part of this Schedule, be entitled to recover compensation for any loss if provision is made for compensating him for that loss by or under any other enactment which is for the time being in force.

2 For the purpose of this Part of this Schedule, any such person as aforesaid—

- (a) who, at any time during the period of five years from the appointed day, relinquishes his office by reason of his having been required to perform duties which are not analogous, or which are an unreasonable addition to, those which he was required to perform immediately before that day ; or
- (b) whose appointment is determined or whose emoluments are reduced during the period aforesaid because his services are not required or his duties are diminished (no misconduct being established) ;

shall be deemed unless the contrary is shown to have suffered direct pecuniary loss by reason of the determination of his appointment or the diminution of his emoluments in consequence of the passing of section one of this Act or of something done in pursuance thereof.

3 The provisions of the Fourth Schedule to the Local Government Act, 1933, shall have effect in relation to claims for compensation under this Part of this Schedule subject to the following modifications, that is to say :—

- (a) references in the said Fourth Schedule to a scheme or order shall be construed as references to this Act; and
- (b) any period during which a person has been engaged in war ' service shall be reckoned for the purposes of the said Fourth Schedule as a period of service in his office as therein defined and, where any such period is so reckoned, his emoluments during that period shall, for the purposes of sub-

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paragraph (2) of paragraph 4 of the said Schedule, be deemed to be such as he would have received if he had not been engaged in war service.

- 4 In this Part of this Schedule—
- (a) the expression " the appointed day " has the same meaning as in section one of this Act;
 - (b) the expression " emoluments " has the same meaning as in the Local Government Act, 1933 ;
 - (c) the expression " local government service" means service under a local authority within the meaning of the Local Government Act, 1933, or the London Government Act, 1939, or the Common Council of the City of London;
 - (d) the expression " war service " has the same meaning as in section one of this Act.

PART II

Superannuation

- 1 Where a pensionable officer of a county council becomes a civil servant in consequence of his transfer to the Ministry of Agriculture and Fisheries under subsection (2) of section one of this Act, then—
- (a) that council shall, within three months after his becoming a civil servant, give to the Minister full information as to his previous service, the amount of his emoluments which will be pensionable emoluments for the purpose of the rules made under section nine of the Superannuation Act, 1935 (which relates to the superannuation of transferred officers), and the amount of the superannuation allowance which he may become entitled to receive from the council; and
 - (b) if the said rules do not already apply to the council, those rules shall nevertheless apply in relation to him as if the Treasury, upon the application of the council, had directed that the rules should apply to the council.
- 2 Where a person, not being a pensionable officer of a county council, becomes a civil servant in consequence of his transfer to the Ministry of Agriculture and Fisheries under subsection (2) of section one of this Act, having been, within three months before he became a civil servant, a person in respect of whom a county council was required or authorised to pay contributions for superannuation purposes under section four of the Local Government Staffs (War Service) Act, 1939, then—
- (a) the rules made under the said section nine shall apply in relation to him as if he had been a pensionable officer of that council immediately before he became a civil servant; and
 - (b) sub-paragraphs (a) and (b) of paragraph 1 of this Part of this Schedule shall apply in relation to him and in relation to that council as they apply for the purposes of that paragraph.
- 3 In this Part of this Schedule—
- (a) the expression " pensionable officer ", in relation to a council, . means an officer or servant of that council who is a pensionable officer or servant of the council within the meaning of section nine of the Superannuation Act, 1935 ;

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- (b) the expression "civil servant" has the meaning assigned to it by section twelve of the Superannuation Act, 1887.