
STATUTORY INSTRUMENTS

1970 No. 1488

**The Yorkshire Deeds Registries
(Compensation to Officers) Regulations 1970**

PART III

RESETTLEMENT COMPENSATION

Resettlement compensation for loss of employment

5. The compensating authority shall, subject to the provisions of these Regulations, pay resettlement compensation to any person to whom these Regulations apply and who satisfies the conditions set out in Regulation 6.

Conditions for payment of resettlement compensation

6.—(1) Without prejudice to any other requirement of these Regulations, the conditions for the payment of resettlement compensation to any person are that—

- (a) he has, not later than ten years after the material date, suffered loss of employment in consequence of Part II of the Law of Property Act 1969;
- (b) he has not at the date of the loss attained normal retiring age;
- (c) he has been, for a period beginning on the date three years immediately before the material date and ending on the date when the loss of employment occurred, continuously engaged (disregarding breaks not exceeding in the aggregate six months) for the whole or part of his time in relevant employment; and for this purpose the expression “relevant employment” includes any period of national service immediately following such employment;
- (d) he has made a claim for such compensation in accordance with the provisions of Part VII of these Regulations not later than thirteen weeks after the loss of employment which is the cause of his claim;
- (e) the loss of employment which is the cause of his claim 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
- (f) he has not, subject to paragraph (3), been offered any reasonably comparable employment under the Crown or in the service of a local authority.

(2) In ascertaining for the purposes of this Regulation whether a person has been offered employment which is reasonably comparable with the employment which he has lost, no account shall be taken of the fact that the duties of the employment offered are in relation to a different service from that in connection with which his employment was held or are duties which involve a transfer of his employment from one place to another within England and Wales.

(3) No account shall be taken for the purposes of this Regulation of an offer of employment where the compensating authority are satisfied—

- (a) that acceptance would have involved undue hardship to the person, or

- (b) that he was prevented from accepting the offer by reason of ill-health or other circumstances beyond his control.

Amount of resettlement compensation

7.—(1) The amount of resettlement compensation which may be paid to a person shall, for each week for which such compensation is payable, be a sum ascertained by taking two-thirds of the weekly rate of the net emoluments which that person has lost and deducting therefrom, in addition to the items mentioned in Regulation 32(3) and (4), such of the following items as may be applicable:—

- (a) unemployment, sickness or injury benefit under any Act relating to National Insurance claimable by him in respect of such week (excluding any amount claimable by him in respect of a dependant); and
- (b) two-thirds of the net emoluments received by him in respect of such week from work or employment undertaken as a result of the loss of employment.

(2) For the purposes of this Regulation the weekly rate of a person's net emoluments shall be deemed to be seven three hundred and sixty-fifths of those emoluments.

Period for payment of resettlement compensation

8. Subject to the provisions of these Regulations, resettlement compensation shall be payable to a person only in respect of the period of thirteen weeks next succeeding the week in which he lost the employment in respect of which his claim has been made or, in the case of a person who has attained the age of forty-five years, the said thirteen weeks and one additional week for every year of his age after attaining the age of forty-five years and before the date of the loss of employment, subject to a maximum addition of thirteen such weeks.

Additional provisions relating to resettlement compensation

9.—(1) Resettlement compensation shall be payable to a person at intervals equivalent to those at which the emoluments of his employment were previously paid or at such other intervals as may be agreed between the person and the compensating authority.

- (2) Resettlement compensation shall be terminated by the compensating authority—
 - (a) if without reasonable cause the recipient fails to comply with any of the provisions of Regulation 10, or
 - (b) if on being requested to do so, he fails to satisfy the compensating authority that, so far as he is able, he is seeking suitable employment.

Claimant for resettlement compensation to furnish particulars of employment

10. Every person claiming or in receipt of resettlement compensation shall (after as well as before the compensation begins to be paid)—

- (a) forthwith supply the compensating authority in writing with particulars of any employment which he obtains or of any change in his earnings from any such employment, and
- (b) if the compensating authority so require, so long as he is out of employment and is not receiving sickness or injury benefit, register with the Department of Employment and Productivity.