
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 61

The Local Government (Early Termination of
Employment) (Discretionary Compensation)
Regulations (Northern Ireland) 2003

PART VI

EFFECT ON NEW EMPLOYMENT ON PART IV COMPENSATION

Interpretation: Part VI

15.—(1) In this Part, “annual compensation” means the annual compensation, after any necessary adjustment in accordance with Part V, which would, apart from regulation 16, be payable to a person under these Regulations.

(2) For the purposes of this Part, an eligible person –

- (a) whose contractual hours in a new employment are altered; or
- (b) who is transferred to another post with the same employing authority at an altered rate of pay,

shall be treated as if he had again entered a new employment.

Reduction of annual compensation

16.—(1) Where an eligible person to whom a credited period has been awarded enters a new employment, the employing authority must reduce his annual compensation by such amount (if any) as it considers appropriate.

(2) In deciding what is appropriate, the employing authority must secure that that person is not able to obtain for himself a total annual amount comprising –

- (a) the annual rate of pay from his new employment; and
- (b) financial benefits under these Regulations and the Pension Regulations,

greater than the annual rate of pay to which he would have been entitled had he remained in his terminated employment.

(3) If that position cannot be secured by reduction of his annual compensation, his entitlement to that compensation shall be suspended.

(4) The reduction or suspension referred to in paragraph (3) shall apply for so long as the person concerned holds the new employment.

(5) For the purposes of this regulation, the reference to the “annual rate” of pay of the terminated employment is a reference to the annual rate of such pay at the termination date with official increases.

(6) For the purposes of this regulation, “new employment” shall not include employment with an admission body unless the person is eligible to be a member of the Scheme in that employment.