

SCHEDULES.

SIXTH SCHEDULE

Section 49.

PROVISIONS AS TO THE DETERMINATION AND PAYMENT OF COMPENSATION TO OFFICERS.

- 1 The provisions of section one hundred and twenty of the Local Government Act, 1888, shall apply to the determination and payment of compensation under this Act to officers subject to the following and any other necessary modifications :—
- (a) Any reference in that section to the county council shall be construed as a reference to the compensating authority and the Minister shall therein be substituted for the Treasury;
 - (b) For the reference to the county fund there shall be substituted a reference to the fund out of which the general expenses of the compensating authority are payable, and if any compensation is payable otherwise than by way of an annual sum, the payment of that compensation shall be a purpose for which a compensating authority may borrow subject always to the consent of the Minister and upon such terms as he may authorise.
 - (c) References in that section to " the passing of this Act " shall be construed as references to the date on which the relinquishment or abolition of office takes effect, or the direct pecuniary loss commences, as the case may be;
 - (d) The expression in subsection (1) of that section " the Acts and rules relating to Her Majesty's Civil Service " shall mean the Acts and rules relating to Her Majesty's Civil Service which were in operation at the date of the passing of the Local Government Act, 1888;
 - (e) In subsection (7) of that section for the words "under the same or any other county council" there shall be substituted the words " under any local authority. "
- 2 In computing the time of service in any capacity of any officer for the purpose of the award of compensation, the compensating authority shall take into account all the service of that officer in any capacity under any local authority, whether such officer was appointed annually or otherwise:
- Provided that, if in pursuance of the power conferred by this Act an office is abolished by an assessment committee or by a rating authority, otherwise than at the expiration of a complete year of service of an officer, the portion then expired of that year shall be treated as a complete year where such portion exceeds six months, and shall be ignored where such portion does not exceed six months.
- 3 The compensation payable under this Act to an officer who immediately before the appointed day, held two or more offices under any local authority or local authorities and who devoted the whole of his time to the duties of such offices, shall not be reduced by reason of the fact that he has devoted only part of his time to each of such offices.
- 4 If any officer was temporarily absent from his employment during the war whilst serving in His Majesty's forces, or the forces of the Allied or Associated Powers, either compulsorily or with the sanction or permission of the local authority, such

period of temporary absence shall be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence, and the amount of his salary, wages and emoluments during such temporary absence shall be deemed to be the amount which he would have received from the local authority during that period if he had remained in their actual service :

Provided that in the case of an officer who, after the armistice, voluntarily extended his term of service in the forces, no period of absence during such extension shall be reckoned.

- 5 The compensating authority may, in their discretion and in consideration of the fact that any officer was appointed to his office as a specially qualified person, or of the fact that he had prior to his appointment served as a deputy, assistant or clerk to any officer, not holding a temporary appointment, add any number of years (not exceeding ten) to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be entitled under the Acts and rules relating to Her Majesty's Civil Service as applied by this Act.
- 6 All fees or remuneration received by an officer in connection with the preparation of the electors' lists under the Representation of the People Acts, 1918 to 1922, shall, subject to a reasonable deduction for any expenses incurred by the officer, be regarded as part of the emoluments of the officer for the purpose of compensation.
- 7 The compensation shall not exceed two-thirds of the annual pecuniary loss suffered by virtue of this Act, or of anything done in pursuance or in consequence of this Act, or if the compensation is payable otherwise than by way of an annual sum, two-thirds of the capital value of such, annual pecuniary loss.
- 8 No officer shall be entitled to receive both compensation under this Act for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.
- 9 In this Schedule, the expression—
 " Compensating authority " means the assessment committee or rating authority to whom an application for compensation is made ;
 " Local authority " means any assessment committee or any rating authority, or any local authority as defined in section three of the Local Government and other Officers' Superannuation Act, 1922.