

SCHEDULE

DETERMINATION OF COMPENSATION

III

COMPENSATION FOR DIMINUTION OF EMOLUMENTS

25. On receipt of a claim for compensation for diminution of the emoluments of any employment the compensating authority shall within a period of three months after the date of receipt of the claim decide whether any compensation is payable and, if so, the amount of that compensation, and shall forthwith notify the claimant in writing of their decision.

26. A decision under the last preceding paragraph shall be subject to review in like manner as a decision under paragraph 6 of this Schedule:

Provided that:—

- (a) no review shall take place after the date on which the claimant loses that employment, except a review as at that date; and
- (b) while the claimant continues to hold that employment, there shall be no limit to the period within which a review may take place.

27. In determining whether compensation is payable and, if so, the amount of that compensation, the compensating authority shall have regard to the conditions upon which the claimant's appointment was made, the nature of his office, and all the other circumstances of the case. No compensation shall be payable where the diminution is less than 5 per cent. of the net emoluments of the claimant.

28. Compensation for diminution of emoluments shall be an annual sum payable as from the date of loss, if the claim was made within three months thereafter, and in any other case as from the date on which the claim was made, or from such earlier date, not being more than three months before the date on which the claim was made, as the compensating authority may in their discretion allow.

29. Compensation to a person for diminution of the emoluments of any employment shall be payable for the same period or periods as compensation for loss of employment and shall not during any period exceed a sum bearing the same proportion to the maximum amount of compensation which could have been awarded in respect of that period had he lost his employment as the amount by which his net emoluments are diminished bears to their amount before diminution:

Provided that the compensation shall cease if the person voluntarily relinquishes his employment without the consent of his employer otherwise than on reaching pensionable age.

30. A person entitled to compensation for diminution of emoluments shall have the like rights in relation to such compensation as are conferred by paragraphs 15, 16 and 17 upon a person entitled to compensation for loss of employment.