
EXPLANATORY NOTE

These Regulations provide for the payment of compensation to persons losing employment or remuneration as a result of the transfer of rating and valuation functions under the Local Government Act, 1948.

To be eligible for compensation a claimant must have had eight years' full time service in central or local government and to have been employed immediately before the date of transfer of functions under the Act by a body from who they are transferred, e.g. a rating authority (see definition of "existing officer" in regulation 2). If he has not refused a reasonably comparable post (regulation 5) he can receive an interim award of compensation of two-thirds of his net emoluments payable for a period of up to three months whilst his award is assessed but subject to reduction if he gets other employment or unemployment insurance benefit or if he fails to look for or take other suitable employment (paragraphs 4 and 5 of the Schedule). Compensation will be payable to him up to normal retiring age, and will be an annual sum based on a percentage of his net emoluments and the length of his service (paragraph 9) The amount may be adjusted by reference to the factors mentioned in paragraphs 8 and 9 (e.g. any other emoluments which have or could have been obtained), and will be subject to review for a period of two years. If pensionable in his old employment, the claimant, on reaching retiring age will be entitled to a payment equivalent to his accrued pension rights. In the assessment of this payment, account will be taken of any rights in respect of incapacity pension, widow's pension, or death benefit that may have been provided for by the pension scheme (paragraphs 11, 12, 14, 15 and 16). These rights may be increased in the case of an officer over 40 on displacement to take account of his loss of opportunity to earn more pension (paragraph 19). If he was not pensionable, compensation will cease on his reaching normal retiring age, unless it is clear that he would have been allowed to continue in his employment for a substantial period after that age, in which case compensation will be paid to him for the rest of his life at half the previous rate (paragraph 22). Overlap with pension or remuneration from public funds is avoided (paragraphs 13, 34 and 35). A claimant who is aggrieved by a decision of a compensating authority may appeal to referees appointed by the Minister of Labour and National Service, after consultation with the Lord Chancellor (regulation 6).