
STATUTORY INSTRUMENTS

1953 No. 1849

The Iron and Steel (Compensation to Officers and Servants) (No. 2) Regulations 1953

PART II

RESETTLEMENT COMPENSATION FOR LOSS OF EMPLOYMENT

3.—(1) The Agency shall, subject to the provisions of these Regulations, pay resettlement compensation to every eligible officer or servant of a company who claims such compensation and in relation to whom the following conditions are satisfied, that is to say:—

- (a) he was on the 31st day of December, 1951, engaged in whole time employment as an officer or servant of a company which on the appointed day became a subsidiary of the Agency;
- (b) immediately before the date on which occurred the disturbance leading to the claim either—
 - (i) he held a permanent appointment as an officer or servant of the employing company, or
 - (ii) he had been continuously engaged (exclusive, however, of any breaks due to sickness or personal injury not exceeding in the aggregate six months) for at least three years in whole time employment in one or more of the following, that is to say:—
 - (A) the service of the Corporation,
 - (B) the service of any company which on the appointed day became a subsidiary of the Agency,
 - (C) war service following immediately upon employment under (A) or (B);
- (c) the disturbance leading to the claim has occurred not later than ten years after the coming into operation of these Regulations;
- (d) he has, in consequence of the relevant event, suffered loss of employment; and
- (e) he has made his claim for resettlement compensation, in accordance with the provisions for making claims set out in Part IV of these Regulations, before the end of his resettlement period or of thirteen weeks from the date of the coming into operation of these Regulations, whichever is the later.

(2) The Agency shall also, subject to the provisions of these Regulations, pay resettlement compensation to every eligible officer or servant of the Corporation who claims such compensation and in relation to whom the following conditions are satisfied, that is to say:—

- (a) he was on the 31st day of December, 1951, engaged in whole time employment as an officer or servant of the Corporation;
- (b) immediately before the appointed day either—
 - (i) he held a permanent appointment as an officer or servant of the Corporation, or

- (ii) he had been continuously engaged (exclusive, however, of any breaks due to sickness or personal injury not exceeding in the aggregate six months) for at least three years in such whole time employment as is described in paragraph (1) (b) (ii) of this Regulation;
 - (c) the disturbance leading to the claim has occurred not later than ten years after the coming into operation of these Regulations;
 - (d) he has, in consequence of the relevant event, suffered loss of employment; and
 - (e) he has made his claim for resettlement compensation, in accordance with the provisions for making claims set out in Part IV of these Regulations, before the end of his resettlement period or of thirteen weeks from the date of the coming into operation of these Regulations, whichever is the later.
- 4. Without prejudice to any other requirement in these Regulations, nothing in these Regulations shall entitle a person to resettlement compensation, unless—
 - (a) he is an eligible officer or servant of a company or of the Corporation;
 - (b) the appropriate conditions set out in Regulation 3 are satisfied in relation to him;
 - (c) the termination of his employment which constitutes the disturbance leading to the claim has occurred for some reason other than reaching normal pensionable age, misconduct or incapacity to perform such duties as immediately before the termination he was performing or might reasonably have been required to perform; and
 - (d) he has not been offered by the Agency, by the employing company or by any subsidiary of the Agency comparable employment.
- 5.—(1) Subject as hereinafter provided, resettlement compensation shall be payable to a claimant in respect of his resettlement period only.

(2) Resettlement compensation shall not be payable to a claimant in respect of any week after he has reached normal pensionable age, unless he is able to satisfy the Agency or the tribunal that he would have continued to work as an officer or servant of the employing company or of the Corporation or the Agency beyond that age if the disturbance leading to the claim had not occurred.
- 6.—(1) Resettlement compensation shall consist of a weekly sum, which shall, in respect of each of the weeks for which such compensation is payable to a claimant as aforesaid, be calculated so as not to exceed the sum ascertained by taking two thirds of the weekly rate of the claimant's current net emoluments and by deducting therefrom such of the following items as may be applicable:—
 - (a) unemployment, sickness, or injury benefit at the current rate for a person having no dependants, in so far as any such benefit (whether at that or any other rate) is claimable by him in respect of such week,
 - (b) two thirds of any earnings received by him in respect of such week from other employment,
 - (c) any sums payable to him in respect of such week in connection with his former employment with the employing company or with the Corporation or the Agency (as the case may be), and
 - (d) any compensation payable to him in respect of such week under any other Regulations made under Section 24 of the Act.

(2) Resettlement compensation, where payable, shall begin to be paid by the Agency not later than two weeks from the receipt by the Agency of the claim therefor in accordance with Part IV of these Regulations, and the first payment of such compensation shall, subject to the provisions of these Regulations, include any sums already accrued due.

7. Every claimant for resettlement compensation shall (as well after as before the compensation begins to be paid)—

- (a) forthwith supply the Agency in writing with particulars of any employment which he obtains or of any change in his earnings from any such employment, and
- (b) so long as he is out of employment and is not receiving sickness or injury benefit, register with the Ministry of Labour and National Service.

8. Resettlement compensation shall be payable to a claimant at intervals equivalent to those at which the emoluments of his employment were previously paid and shall forthwith be terminated by the Agency—

- (a) if he fails to comply with any of the provisions of Regulation 7, or
- (b) if he fails to satisfy the Agency that he is actively seeking suitable employment, or
- (c) if, for any reason other than obtaining employment or becoming entitled to sickness or injury benefit, he ceases to receive unemployment benefit.