
STATUTORY INSTRUMENTS

1967 No. 1889

**The Harbour Reorganisation (Compensation
to Employees) Regulations 1967**

PART VI

ADJUSTMENT, REVIEW AND COMPOUNDING OF COMPENSATION

Reduction of compensation in certain cases

36.—(1) If under the pension scheme to which a person was subject before losing his employment or suffering a diminution of emoluments any benefit for which the scheme provided would have been subject to reduction or suspension on his taking up other specified employment, any retirement compensation to which the person is entitled shall, where such employment is taken up, be reduced or suspended in the like manner and to the like extent:

Provided that in calculating the amount of the reduction there shall be aggregated with the emoluments of the employment taken up the amount of any superannuation benefit by way of annual amounts payable to the person in respect of the employment which he has lost, or, as the case may be, in which the emoluments were diminished.

(2) Where a person is entitled to compensation under these regulations and the circumstances are such that he is also entitled to a redundancy payment under the Redundancy Payments Act 1965, the amount of such compensation which would, apart from this paragraph of this regulation, become due to that person shall be reduced by the amount of the redundancy payment under the said Act which is to be paid to the person and, in so far as such compensation consists of more than one payment, the payments of such compensation as they become due shall be subject to such abatement or reduction as is necessary to reduce the amount of such compensation by the amount of the redundancy payment.

(3) Where in any week a person is entitled to long-term compensation for loss or diminution of emoluments and is also entitled to unemployment sickness or injury benefit under any Act relating to National Insurance, other than a benefit claimable by him in respect of a dependant, there shall be deducted from the long-term compensation payable for that week a sum equal to the amount by which the aggregate of—

- (a) such National Insurance benefits claimable in respect of that week, and
- (b) the weekly rate at which the long-term compensation would, but for this regulation, be payable, and
- (c) the weekly rate of any superannuation benefit taken into account for the purpose of regulation 15(4) of these regulations,

exceeds two thirds of the weekly rate of the net emoluments of the employment which he has lost or in which the emoluments have been diminished.

(4) For the purposes of the last preceding paragraph of this regulation, the expression “weekly rate” means seven three hundred and sixty-fifths of the relevant annual rate.

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Where

- (a) (a) a pensionable officer after suffering loss of employment or diminution of emoluments enters any employment referred to in regulation 26 of these regulations or becomes entitled to any superannuation benefit on ceasing to hold such employment, or
- (b) a person entitled to long-term compensation enters employment the remuneration whereof is payable out of public funds or ceases to hold such employment, or receives any increase in his remuneration in such employment, or
- (c) a person entitled to retirement compensation enters employment in which the compensation is subject to reduction or suspension under regulation 36(1) of these regulations, or ceases to hold such employment, or receives any increase in his remuneration in such employment, or
- (d) a person entitled to long-term compensation is receiving or starts to receive a benefit under any Act relating to National Insurance,

he shall forthwith inform the compensating authority in writing of that fact.