BRITISH TRANSPORT COMMISSION

1956 No. 1226

The British Transport Commission (Compensation to Employees) (Amendment) Regulations, 1956

Made - - - -	3*rd August*, 1956
Coming into Operation	17*th August*, 1956

Whereas a draft of these Regulations has been approved by resolution of each House of Parliament;

Now, therefore, the Minister of Transport and Civil Aviation in exercise of his powers under section 28 of the Transport Act, 1953(**a**), and of all other powers him enabling in that behalf, hereby makes the following Regulations:—

1.—(*1*) These Regulations shall come into operation on the fourteenth day after the date upon which these Regulations are made and may be cited as the British Transport Commission (Compensation to Employees) (Amendment) Regulations, 1956.

(*2*) The Interpretation Act, 1889(**b**), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. The British Transport Commission (Compensation to Employees) Regulations, 1953(**c**), (hereinafter referred to as "the Principal Regulations") shall have effect and be deemed always to have had effect as though—

(*a*) in Regulation 1 thereof there were inserted after paragraph (4) the following paragraphs:—

"(5) Where an officer or servant becomes a person who is by virtue of subsection (3) of section 4 or, as the case may be, of subsection (12) of section 5 of the Act deemed for the purposes of section 95 of the Act of 1947 (which relates to terms and conditions of employment of staff) to be employed by the Commission and to be under the direct control of the Commission, he shall for the purposes of these Regulations, so long as he is so deemed to be employed by and under the direct control of the Commission, be deemed not to have ceased to be employed as an officer or servant.

(6) Any reference in these Regulations to any enactment shall be construed as a reference to that enactment as amended, extended or applied by or under any other enactment."

(*b*) in paragraph (*a*) and in paragraph (*b*) of Regulation 2 thereof the words "by the Commission" in the first place where those words respectively occur therein were omitted.

(*c*) in paragraph (*a*) of Regulation 2 thereof there were inserted after the word "Commission" in the second place where that word occurs the following words:—

"or by a company the officers and servants of which are by virtue of subsection (3) of section 4 or, as the case may be, of subsection (12)

(**a**) 1 & 2 Eliz. 2. c. 13. (**b**) 52 & 53 Vict. c. 63. (**c**) S.I. 1953/1193 (1953 II, p. 1458).

of section 5 of the Act deemed for the purposes of section 95 of the Act of 1947 to be employed by the Commission and to be under the direct control of the Commission ".

(*d*) at the end of sub-paragraph (*c*) of paragraph (2) of Regulation 4 thereof (that is to say after the words " that date ") there were added the words " and had been continuously employed as an officer or servant since the 31st December, 1951 ".

(*e*) in paragraph (1) of Regulation 6 thereof the words " by the Commission " were omitted.

3. Where before the coming into operation of these Regulations a person has suffered a loss which would have entitled him to compensation under the Principal Regulations if, and only if, these Regulations had been in force at the time of the loss, that person shall, subject to his complying with the procedure and conditions set out in the First Schedule to the Principal Regulations within thirteen weeks of the coming into operation of these Regulations, be entitled to receive in respect of that loss compensation to be determined in accordance with the provisions of the Second Schedule to the Principal Regulations as if these Regulations had been in force at the date of the loss and as if his claim had been received within thirteen weeks of that date.

4. Where before the coming into operation of these Regulations an award of compensation has been made to any person under the Principal Regulations and that person within thirteen weeks of the coming into operation of these Regulations makes a request to the Commission in accordance with the provisions of the First Schedule to the Principal Regulations for a review of that award, the Commission shall consider the same in accordance with the provisions of the Principal Regulations and of the Second Schedule thereto as if these Regulations had been in force at the date when the applicant made the claim in respect of which the award of compensation under the Principal Regulations was made to him and as if the request for the review had been received on the same date as the claim in respect of which the award was made.

Given under the Official Seal of the Minister of Transport and Civil Aviation this third day of August, 1956.

(L.S.)

Harold Watkinson,
The Minister of Transport
and Civil Aviation.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the Principal Regulations by providing that so long as an employee is in employment in which he is, under the Transport Act 1953 or any later enactment, required to be treated as employed by and under the direct control of the British Transport Commission for the purposes of the machinery governing terms and conditions of employment, he shall also be treated as employed by the Commission for the purposes of compensation.