STATUTORY INSTRUMENTS

1965 No. 564

LOCAL GOVERNMENT, ENGLAND AND WALES

The Police (Compensation) Regulations 1965

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Whereas the Treasury has determined under section 60(2) of the Local Government Act 1958(a) that the Secretary of State is the appropriate Minister in relation to members of police forces:

Now, therefore, in exercise of the powers conferred on me by the said section 60(2) (as extended by Schedule 9 to, and read with section 58(4) of, the Police Act 1964(b)), I hereby make the following Regulations :—

PART I

ENTITLEMENT TO COMPENSATION

Persons to whom the Regulations apply

1.—(1) These Regulations shall apply to any person who—

(*a*) immediately before the date specified in the next following paragraph was serving in a police force as the chief constable or deputy chief constable thereof or in the rank of assistant chief constable;

(a) 6 & 7 Eliz. 2. c. 55. (b) 1964 c. 48.

(*b*) immediately before the material date was serving in a police force as the chief constable thereof and was so serving in that or some other police force on 1st July 1964, or

(*c*) would have been such a person as is mentioned in one of the preceding sub-paragraphs but for the fact that he was engaged on national service on a date mentioned in the sub-paragraph in question.

(2) The date referred to in paragraph (1)(*a*) of this Regulation is—

(*a*) in the case of a person affected by an amalgamation scheme which the Secretary of State has, by order under Part I of the Police Act 1964, made or approved, the date on which that order was made, or

(*b*) in the case of a person affected by an order under Part VI of the Local Government Act 1933(a) or an order under Part II of the Local Government Act 1958, the date on which that order was made.

Grounds of entitlement to compensation

2. Subject to the provisions of these Regulations, every person to whom these Regulations apply and who suffers loss of office as a member of a police force or loss or diminution of emoluments which is attributable to the provisions of any order under Part VI of the Local Government Act 1933 or Part II of the Local Government Act 1958 or to the provisions of an amalgamation scheme which the Secretary of State has made or approved under Part I of the Police Act 1964 shall be entitled to have his case considered for the payment of compensation under these Regulations and such compensation shall be determined in accordance with the following provisions of these Regulations.

National service

3.—(1) Where any person to whom these Regulations apply would have been serving as a member of a police force immediately before the date specified in Regulation 1(2) of these Regulations but for any national service on which he was then engaged, then if before the expiry of two months after ceasing to be so engaged, or if prevented by sickness or other reasonable cause, as soon as practicable thereafter, he gives notice to the compensating authority that he is available for employment, that person shall be entitled to have his case considered for the payment of compensation on the ground—

(*a*) if he is not serving, or offered an appointment, as a member of a police force in his former rank or in any reasonably comparable employment, of loss of office;

(*b*) if he is so serving with reduced emoluments as compared with the emoluments which he would have enjoyed had he continued to serve as a member of a police force in his former rank or office, of diminution of emoluments.

(2) The loss of office which is the ground of a claim for compensation under sub-paragraph (*a*) of the last foregoing paragraph shall be treated as having occurred on the earlier of the two following dates, that is to say, the date of the refusal of an offer of an appointment or a date one month after the date on which the person gave notice that he was available for employment, and the claimant shall be deemed to have been entitled to the emoluments which he would have enjoyed at such earlier date had he continued to serve as a member of a police force in his former rank.

(a) 23 & 24 Geo. 5. c. 51.

PART II

RESETTLEMENT COMPENSATION FOR LOSS OF OFFICE

Resettlement compensation for loss of office

4.—(1) The compensating authority shall, subject to the provisions of these Regulations—

(*a*) consider and determine the entitlement to resettlement compensation of every person to whom this Part of these Regulations applies who claims such compensation and in relation to whom the conditions set out in the next succeeding Regulation are satisfied, and

(*b*) pay the amount of any compensation so determined.

(2) This Part of these Regulations applies to a person who at the date of the loss of office had not attained the age of compulsory retirement and who had been for a period of not less than three years immediately preceding the material date continuously engaged (exclusive of breaks not exceeding in the aggregate six months) for the whole or part of his time in relevant employment; and for this purpose the expression "relevant employment" includes any period of national service immediately following upon such employment.

Conditions for payment of resettlement compensation

5.—(1) Without prejudice to any other requirement of these Regulations, nothing in these Regulations shall entitle a person to resettlement compensation unless—

(*a*) he has suffered loss of office attributable to the provisions of any such scheme or order as is mentioned in Regulation 2 of these Regulations not later than ten years after the material date;

(*b*) he has made his claim for resettlement compensation in accordance with the provisions for making claims set out in Part VI of these Regulations not later than thirteen weeks after the loss of office which is the cause of his claim;

(*c*) the loss of office which is the cause of his claim has occurred for some reason other than misconduct or incapacity to perform such duties as immediately before the loss he was performing or might reasonably have been required to perform; and

(*d*) he has not, subject to paragraph (3) of this Regulation, been offered any reasonably comparable employment under the Crown or in the service of a local authority.

(2) In ascertaining for the purposes of this Regulation whether a claimant has been offered employment which is reasonably comparable with the office which he has lost no account shall be taken of the fact that the employment offered is not employment for police purposes or the duties thereof are duties which involve a transfer from one place to another within England or Wales.

(3) No account shall be taken for the purposes of this Regulation of an offer of employment where the compensating authority are satisfied—

(*a*) that acceptance would have involved undue hardship to the claimant, or

(*b*) that the claimant was prevented from accepting the offer by reason of ill-health or other circumstances beyond his control.

Amount of resettlement compensation

6.—(1) Resettlement compensation payable to a person to whom this Part of these Regulations applies shall for each week for which such compensation is payable be a sum ascertained by taking two thirds of the weekly rate of the net emoluments which the claimant has lost and deducting therefrom such of the following items as may be applicable :—

(*a*) unemployment, sickness or injury benefit under any Act relating to National Insurance 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 the net emoluments received by him in respect of such week from work or employment undertaken in place of service in a police force ;

(*c*) any pension to which he is entitled under the Police Pensions Regulations in respect of such week.

(2) For the purposes of this Regulation the weekly rate of a claimant's net emoluments shall be deemed to be seven three hundred and sixty-fifths of those emoluments.

Period for payment of resettlement compensation

7. Subject as hereinafter provided, resettlement compensation to a person to whom this Part of these Regulations applies shall be payable in respect of the period of thirteen weeks next succeeding the week in which he ceased to serve as a member of a police force or, in the case of a claimant who has attained the age of forty-five years, the said thirteen weeks extended by one additional week for every year of his age after attaining the age of forty-five years and before he ceased so to serve subject to a maximum addition of thirteen such weeks.

Claimant for resettlement compensation to furnish particulars of employment

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

(*a*) forthwith supply the compensating authority in writing with particulars of any employment which he obtains or of any change in his earnings from any such employment, and

(*b*) if the compensating authority so requires, so long as he is out of employment and is not receiving sickness or injury benefit, register with the Ministry of Labour.

Additional provisions relating to resettlement compensation

9. Resettlement compensation shall be payable to a claimant at intervals equivalent to those at which his emoluments as a member of a police force were previously paid or at such other intervals as may be agreed between the claimant and the compensating authority and shall forthwith be terminated by the compensating authority—

(*a*) if without reasonable cause the claimant fails to comply with any of the provisions of Regulation 8 of these Regulations, or

(*b*) if, on being requested to do so, he fails to satisfy the compensating authority that, so far as he is able, he is seeking suitable employment.

PART III

LONG-TERM COMPENSATION FOR LOSS OF OFFICE OR LOSS OR DIMINUTION OF EMOLUMENTS

Persons to whom Parts III and IV of the Regulations apply

10.—(1) The compensating authority shall, subject to the provisions of these Regulations—

(*a*) consider and determine the entitlement to long-term and retirement compensation of every person to whom this and the next succeeding Part of these Regulations apply who claims such compensation and in relation to whom the conditions set out in the next succeeding Regulation are satisfied, and

(*b*) pay the amount of any compensation so determined.

(2) This Part and Part IV of these Regulations apply to a person who at the date of loss of office or loss or diminution of emoluments had not attained the age of compulsory retirement and who had been for a period of not less than eight years immediately preceding the material date continuously engaged (without a break of more than twelv months at any one time) for the whole or part of his time in relevant employment (which expression for this purpose includes any period of national service immediately following such employment).

Conditions for payment of long-term and retirement compensation

11.—(1) Without prejudice to any other requirement of these Regulations, nothing in these Regulations shall entitle a person to long-term or retirement compensation unless—

(*a*) he has suffered loss of office as a member of a police force or loss or diminution of emoluments attributable to the provisions of any such scheme or order as is mentioned in Regulation 2 of these Regulations not later than ten years after the material date;

(*b*) he has made his claim for compensation in accordance with the provisions for making claims set out in Part VI of these Regulations not later than two years after the loss or diminution which is the cause of the claim, and

(*c*) if the cause of the claim for compensation is loss of office as a member of a police force—

(i) he suffered such loss for some reason other than misconduct or incapacity to perform such duties as immediately before the loss he was performing or might reasonably have been required to perform; and

(ii) he has not been offered any reasonably comparable employment under the Crown or in the service of a local authority.

(2) Regulation 5(2) and (3) of these Regulations as to offers of employment shall apply for the purposes of this Regulation.

(3) Claims for long-term and retirement compensation for loss of office shall in all respects be treated as claims for such compensation for the loss of emoluments occasioned thereby and the provisions of these Regulations shall apply to all such claims accordingly.

Factors to be considered in determining payment of long-term and retirement compensation

12.—(1) For the purpose of determining whether long-term or retirement compensation for loss or diminution of emoluments should be paid to a

claimant, and if so the amount of the compensation (subject to the limits set out in these Regulations) regard shall be had to such of the following factors as may be relevant, that is to say:—

(*a*) the conditions applicable to the claimant's former service as a member of a police force;

(*b*) the conditions applicable to the work or employment undertaken by him in place of that service;

(*c*) the extent to which he has sought suitable employment and the emoluments which he might have acquired by accepting other suitable employment offered to him;

(*d*) the amount of any award, otherwise than by way of return of pension contributions, to which he is entitled under the Police Pensions Regulations; and

(*e*) all the other circumstances of his case:

Provided that if at the time when the claimant became a member of the police force in which he was serving immediately before the material date, or would have been so serving but for any national service on which he was then engaged, proceedings had been commenced under the Local Government Act 1933, the Local Government Act 1958 or the Police Act 1964 which led to the order or scheme being made or approved, to which his loss of employment or loss or diminution of emoluments is attributable, no account shall be taken of that fact.

(2) For the purposes of the last foregoing paragraph—

(*a*) a reference to the conditions applicable to any service, work or employment shall be construed as a reference to all the conditions of service applicable thereto, by law or practice, including, in particular, those relating to emoluments and security of tenure; and

(*b*) paragraph (3) of Regulation 5 of these Regulations shall apply as it applies for the purposes of that Regulation.

Amount of long-term compensation payable to a person for loss of emoluments

13.—(1) In the case of a person to whom this Part of these Regulations applies, long-term compensation for loss of emoluments shall, subject to the provisions of these Regulations, be payable until the age of compulsory retirement or death, whichever first occurs, and shall not exceed a maximum annual sum calculated in accordance with the provisions of paragraphs (2), (3) and (4) of this Regulation.

(2) The said maximum annual sum shall, subject as hereinafter provided, be the aggregate of the following sums, namely—

(*a*) for every year of the claimant's reckonable service, one sixtieth of the net emoluments he has lost; and

(*b*) in the case of a claimant who has attained the age of forty years at the date of the loss, a sum calculated in accordance with the provisions of paragraph (3) of this Regulation appropriate to his age at that date:

Provided that the said maximum annual sum shall in no case exceed two thirds of the net emoluments which the claimant has lost.

(3) The sum referred to in sub-paragraph (*b*) of the last foregoing paragraph shall be—

(*a*) in the case of a claimant who has attained the age of forty years but has not attained the age of fifty years at the date of the loss, the following fraction of the net emoluments he has lost—

(i) where the claimant's reckonable service is less than ten years, one sixtieth for each year of such service after attaining the age of forty years ; or

(ii) where the claimant's reckonable service amounts to ten years but is less than fifteen years, one sixtieth for each year of such service after attaining the age of forty years and one additional sixtieth ; or

(iii) where the claimant's reckonable service amounts to fifteen years but is less than twenty years, one sixtieth for each year of such service after attaining the age of forty years and two additional sixtieths ; or

(iv) where the claimant's reckonable service amounts to twenty years or more, one sixtieth for each year of such service after attaining the age of forty years and three additional sixtieths ;

but the sum so calculated shall not in any case exceed one sixth of the said net emoluments ;

(*b*) in the case of a claimant who has attained the age of fifty years but has not attained the age of sixty years at the date of the loss, one sixtieth of the said net emoluments for each year of the claimant's reckonable service after attaining the age of forty years, up to a maximum of fifteen such years ; and

(*c*) in the case of a claimant who has attained the age of sixty years at the date of the loss, one sixtieth of the said net emoluments for each year of the claimant's reckonable service after attaining the age of forty-five years.

(4) Where a person has become entitled to a pension under the Police Pensions Regulations, the maximum annual sum referred to in paragraph (1) of this Regulation shall be the maximum sum calculated in accordance with paragraph (2) of this Regulation, but as if the pension had not been payable, less the annual amount of that pension.

(5) Where a sum is payable under this Regulation in respect of any period and resettlement compensation has also been paid in respect of that period, the said sum shall be limited to the amount (if any) by which it exceeds the resettlement compensation paid as aforesaid.

(6) Compensation awarded under this Regulation shall be payable at intervals equivalent to those at which the claimant's emoluments as a member of a police force were previously paid or at such intervals as may be agreed between him and the compensating authority.

Long-term compensation for diminution of emoluments

14. In the case of a person to whom this Part of these Regulations applies long-term compensation for diminution of emoluments in respect of any employment shall be awarded and paid in accordance with the following provisions—

(*a*) the compensation shall consist of an annual sum which shall be payable at intervals equivalent to those at which the emoluments of the claimant's employment are or were previously paid or at such other intervals as may be agreed between the claimant and the compensating

authority, and shall, subject to the provisions of these Regulations, be payable until the age of compulsory retirement or death, whichever first occurs; and

(*b*) the said annual sum shall not exceed the figure which bears to the maximum annual sum which could have been awarded under Regulation 13 of these Regulations had the claim been made under that Regulation, the same ratio as the amount by which his net emoluments have been diminished (calculated as an annual amount) bears to the amount of his net emoluments, so however, that no compensation shall be payable if this ratio is less than 2½ per cent.

Date from which long-term compensation is to be payable

15.—(1) Long-term compensation shall commence to be payable with effect from the date of the claim or from such earlier date as is mentioned in the succeeding provisions of this Regulation.

(2) Where a claim for long-term compensation is duly made within thirteen weeks of the occurrence of the loss or diminution which is the subject of the claim, the award shall be made retrospective to the date on which the loss or diminution occurred.

(3) Where a claim for long-term compensation is made after the expiry of the period mentioned in the last foregoing paragraph, the award may at the discretion of the compensating authority be made retrospective to a date not earlier than thirteen weeks prior to the date on which the claim was made:

Provided that, if the compensating authority are satisfied that the failure to make the claim within the period mentioned in the last foregoing paragraph was due to ill-health or other circumstances beyond the claimant's control, the award may be made retrospective to a date not earlier than that on which the loss or diminution occurred.

PART IV

RETIREMENT COMPENSATION AND PAYMENTS ON DEATH

Retirement compensation payable to a person who would have become entitled to a pension

16.—(1) Subject as hereinafter provided, where a person to whom this Part of these Regulations applies who has not attained the age of compulsory retirement would, if he had continued to serve as a member of a police force have become entitled to retire with an ordinary or ill-health pension under the Police Pensions Regulations, he shall become entitled to claim, in lieu of any compensation to which he would otherwise be entitled under these Regulations, compensation calculated in accordance with paragraph (2) of this Regulation.

(2) Compensation payable to a person in accordance with this Regulation shall, subject as hereinafter provided, be payable at an annual rate equal to that of—

(*a*) the ordinary or ill-health pension to which he would have become entitled as aforesaid, calculated by reference to his average pensionable pay (or, where appropriate, his preserved pensionable pay) immediately before he ceased to serve as a member of a police force; or

(*b*) his notional pension calculated in accordance with Regulation 21 of these Regulations,

whichever is the less.

(3) On receipt of a claim under paragraph (1) of this Regulation, the compensating authority shall consider forthwith whether the claimant is a person to whom that paragraph applies, and within thirteen weeks after the date of the receipt of the claim—

(*a*) if they are satisfied that he is not such a person, they shall notify him in writing accordingly; and

(*b*) if they are satisfied that he is such a person, they shall assess the amount of compensation payable to the person, and notify him in writing accordingly,

and any such notification shall, for the purposes of these Regulations, be deemed to be a notification by the authority of a decision on a claim to compensation.

(4) If a claimant wishes to receive compensation under this Regulation, he shall so inform the compensating authority in writing within one month from the receipt of a notification under the last preceding paragraph or, where the claim has been the subject of an appeal, from the decision of the tribunal thereon; and the compensation shall be payable as from the date on which the compensating authority received the claim.

(5) In the case of a person who claims, for the purposes of paragraph (1) of this Regulation, that he would, if he had continued to serve as a member of a police force, have become entitled to retire with an ill-health pension under the Police Pensions Regulations, the compensating authority may require him to submit himself to a medical examination by a registered medical practitioner selected by that authority, and, if they do so, they shall also offer the person an opportunity of submitting a report from his own medical adviser as a result of an examination by him, and the authority shall take that report into consideration, together with the report of the medical practitioner selected by them.

(6) If the compensating authority so agree, in the case of a person who has not attained the age of sixty years but would have become entitled to retire with an ordinary pension, as aforesaid, if the police authority so decided, it shall be assumed for the purposes of this Regulation that they would have so decided.

Option to take retirement compensation prematurely in certain cases

17.—(1) If a person to whom this Part of these Regulations applies has suffered loss of office after attaining the age of fifty years and so requests the compensating authority by notice in writing, he shall be entitled as from the date on which the compensating authority receive such notice, in lieu of any compensation, other than resettlement compensation, to which he would otherwise be entitled under these Regulations, to compensation calculated in accordance with paragraph (2) of this Regulation:

Provided that where he has claimed long-term compensation, the said notice shall be given not later than two years after the determination of the claim or, where the determination is reviewed under Regulation 28(3) of these Regulations, not later than two years after any such review.

(2) Compensation payable to a person in accordance with this Regulation shall be payable at an annual rate equal to that at which an ill-health pension would have been payable under the Police Pensions Regulations had he retired with such a pension when he ceased to serve as a member of a police force.

(3) Regulation 16(3) of these Regulations shall apply in relation to a notice given under paragraph (1) of this Regulation as it applies to a claim made under Regulation 16(1).

(4) Where an annual sum is payable under this Regulation in respect of any period and resettlement compensation is also payable in respect of that period, the said annual sum shall be limited to the amount (if any) by which it exceeds the resettlement compensation payable as aforesaid.

Retirement compensation for loss of emoluments payable to a person on attainment of the age of compulsory retirement

18.—(1) Subject to the provisions of these Regulations, where a person to whom this Part of these Regulations applies reaches the age of compulsory retirement, the retirement compensation payable to him for loss of emoluments shall be payable at an annual rate equal to that of his notional pension calculated in accordance with Regulation 21 of these Regulations.

(2) Compensation shall not be payable under this Regulation to a claimant to whom Regulation 16 or 17 of these Regulations has been applied.

Retirement compensation for diminution of emoluments

19. The provisions of Regulations 16 and 18 of these Regulations shall apply to a person to whom this Part of these Regulations applies and who has suffered diminution of emoluments, but the sums payable to such a person in the circumstances mentioned in those Regulations shall be sums which bear to the sums which would have been payable thereunder had the claim been in respect of loss of office the same ratio as the amount by which the claimant's net emoluments have been diminished (calculated as an annual rate) bears to the amount of his net emoluments:

Provided that no compensation shall be payable if this ratio is less than 2½ per cent.

Compensation of claimant who obtains further pensionable employment

20.—(1) This Regulation shall apply to a person who, after suffering loss of office or diminution of emoluments as a member of a police force, enters employment in which he is subject to a pension scheme and thereafter becomes entitled to reckon service for the purposes of that scheme by virtue of any pensionable service which is taken into account for the purpose of any award or notional award, under the Police Pensions Regulations, by reference to which the amount of any retirement compensation payable to him falls to be assessed.

(2) No retirement compensation for loss of office or diminution of emoluments shall be payable to a person to whom this Regulation applies unless the annual rate of the emoluments to which he was entitled immediately before such loss or diminution exceeds the annual rate, on entry, of the emoluments of the new employment by more than 2½ per cent. of such first mentioned emoluments.

(3) Subject to Regulation 26 of these Regulations, any retirement compensation for loss of office or diminution of emoluments payable to a person to whom this Regulation applies shall be payable at the rate at which compensation for loss of office would be payable—

(*a*) in the case of any retirement compensation, if for the purpose of calculating any pension or notional pension under the Police Pensions

Regulations by reference to which it falls to be assessed, his average pensionable pay (or, where appropriate, his preserved pensionable pay) had been of an amount corresponding to the difference between the two rates referred to in the preceding paragraph; and

(*b*) in the case of retirement compensation for diminution of emoluments, if Regulation 19 of these Regulations had not been made:

Provided that retirement compensation for diminution of emoluments shall not by virtue of this paragraph be payable to a person at an annual rate in excess of that of the retirement compensation which would have been payable under Regulation 19 had this Regulation not been made and had the person reached the age of compulsory retirement when he ceased to hold the office in which he suffered diminution.

Calculation of notional pension referred to in Regulations 16 *and* 18

21.—(1) The notional pension referred to in Regulations 16 and 18 of these Regulations is one payable at an annual rate at which an ill-health pension would have been payable under the Police Pensions Regulations to the person concerned—

(*a*) if he had retired with such a pension on the date on which he lost office as a member of a police force or suffered diminution of emoluments; and

(*b*) in the case of a person who had attained the age of forty years at that date, if, in addition to the pensionable service reckonable under the Police Pensions Regulations, he had been entitled to reckon an additional period of pensionable service in accordance with paragraph (2) of this Regulation and, for the purpose of determining the reduction (if any) falling to be made in that pension beyond the age of sixty-five years or, in the case of a woman, sixty years, if he had paid pension contributions as a regular policeman in respect of that period at a rate related to 1s. 2d. a week less than the appropriate percentage of his pensionable pay.

(2) The additional period of pensionable service referred to in the preceding paragraph shall be a period of two years together with—

(*a*) a further two years for each of the first four completed years of the person's reckonable service between the date when he attained the age of forty years and the date of the loss or diminution; and

(*b*) a further year for each completed year of such service after the four:

Provided that the additional period of pensionable service shall not exceed the shortest of the following periods, namely—

(i) the period for which the person would have served as a member of a police force after the date of the loss or diminution had he continued so to serve until he attained the age of compulsory retirement,

(ii) his period of reckonable service, or

(iii) fifteen years.

(3) For the purposes of the preceding paragraph the expression "reckonable service" includes any period of service or employment which has been taken into account for the purposes of any award under the Police Pensions Regulations to which the person concerned has become entitled.

Factors governing the payment of retirement compensation

22.—(1) A person entitled to retirement compensation under Regulation 16, 17 or 18 of these Regulations shall pay to the compensating authority

an amount equal to any award by way of return of pension contributions received by him under the Police Pensions Regulations on ceasing to be a member of a police force but, where he has made the said payment to the compensating authority before becoming entitled to retirement compensation as aforesaid, that authority may, at his request before he becomes so entitled, refund the payment to him; and if the said payment is not made to the compensating authority, or is refunded by them, the compensation shall be reduced by an annual amount the capital value of which is equal to the amount of the said award under the Police Pensions Regulations.

(2) The provisions of the Police Pensions Regulations relating to the allocation of a pension, that is to say to the surrender by a regular policeman of a portion of his pension in favour of his wife or such other person as is substantially dependent on him, shall, subject to any necessary modifications have effect in relation to any retirement compensation as they have effect in relation to an ordinary or ill-health pension under the Police Pensions Regulations; and without prejudice to the generality of the preceding provisions of this paragraph—

(*a*) where before the date of the loss or diminution a member of a police force has, under the Police Pensions Regulations, given notice of allocation which has become effective, the said provisions shall apply as if the retirement compensation were an ordinary pension; and

(*b*) the said provisions shall apply as if any reference to the police authority included a reference to the compensating authority and as if any reference to retirement included a reference to a person becoming entitled to retirement compensation.

(3) Where a pension or notional pension under the Police Pensions Regulations by a reference to which any retirement compensation falls to be assessed would, under those Regulations, be reduced in respect of any period beyond the age of sixty-five years in the case of a man, or sixty years in the case of a woman, the retirement compensation shall be re-assessed on the person attaining that age, account being taken of the said reduction.

(4) Where a person to whom retirement compensation is payable is in employment in which he is subject to a pension scheme, then, as the compensating authority may think reasonable having regard to the said pension scheme, they may on awarding, or reviewing under Regulation 28 of these Regulations, that compensation reduce or withold so much thereof as is attributable to the provisions of Regulation 21(1)(*b*) of these Regulations.

(5) Where a person to whom retirement compensation is payable is, for any period, in such service or employment that if a pension were payable to him under the Police Pensions Regulations the police authority would be empowered to withdraw the whole or any part of the pension the compensating authority shall have the like power to withdraw the compensation.

Compensation payable on the death of a claimant

23.—(1) Where a person dies after suffering loss of office as a member of a police force, by way of compensation the like payments—

(*a*) shall be made to or for the benefit of his widow or child;

(*b*) may be made to any relative who was at the time of his death dependent on him to any degree,

as would or, as the case may be, could have been payable by way of an award under the Police Pensions Regulations—

(i) if he had retired with a pension under those Regulations on the date on which he lost office as a member of a police force; and

(ii) in the case of a person who had attained the age of forty years on that date, other than a person who became entitled to retirement compensation under Regulation 17 of these Regulations, if in addition to the pensionable service reckonable under the Police Pensions Regulations he had been entitled to reckon the additional period of pensionable service mentioned in Regulation 21(2) of these Regulations:

Provided that the payments by way of compensation referred to in sub-paragraph (*a*) of this paragraph shall not, by reason of sub-paragraph (ii) of this paragraph, exceed those which would have been payable by way of pension or allowance under the Police Pensions Regulations, calculated by reference to the person's average pensionable pay (or, where appropriate, his preserved pensionable pay) immediately before he ceased to serve as a member of a police force, if he had continued to serve as such until he died.

(2) Where a person dies after suffering diminution of emoluments, the preceding paragraph shall apply with the substitution of references to diminution of emoluments for references to loss of office if the compensation calculated in accordance therewith is assessed by reference to the person's average pensionable pay (or, where appropriate, his preserved pensionable pay), but the compensation payable shall be that proportion of the compensation so calculated which the amount by which the person's net emoluments have been diminished (calculated as an annual amount) bears to the amount of his net emoluments:

Provided that no compensation shall be payable in accordance with this paragraph if the said proportion is less than 2½ per cent.

(3) Compensation payable in accordance with this Regulation shall be payable on the like conditions in all respects as the corresponding award under the Police Pensions Regulations and, accordingly, the provisions of those Regulations (including any provision for the commutation of a pension or allowance for a gratuity) shall apply, subject to any necessary modifications, in relation to such compensation as they apply in relation to such an award.

(4) Except where retirement compensation payable to the deceased person has been reduced under Regulation 22(1) of these Regulations, the payments by way of compensation under this Regulation shall, in the aggregate, be reduced by an amount the capital value whereof is equal to the amount of any award by way of return of pension contributions received by him under the Police Pensions Regulations and either not paid to the compensating authority in accordance with the said Regulation 22(1) or refunded to him by that authority; and, where payments under this Regulation are made to or for the benefit of two or more persons, the said reduction shall be apportioned between those payments according to the capital value thereof.

(5) In this and the next following Regulation the expression "child" has the same meaning as in the Police Pensions Regulations and related expressions shall be construed accordingly.

Abatement of compensation by award under the Police Pensions Regulations

24.—(1) Where compensation under this Part of these Regulations is payable to a person who has lost office as a member of a police force or to or for the benefit of his widow or child and a pension or allowance under the Police Pensions Regulations is also so payable, the annual amount of the compensation shall be abated by the annual amount of the corresponding pension or allowance.

(2) For the purposes of this Regulation, where a pension has been reduced under the provisions of the Police Pensions Regulations—

(*a*) relating to the allocation of a portion of a pension and mentioned in Regulation 22(2) of these Regulations, or

(*b*) relating to the commutation of a portion of a pension for a lump sum,

the annual amount of that pension shall be deemed to be the annual amount which would have been payable but for the said reduction.

(3) For the purposes of this Regulation no account shall be taken of a pension payable to a widow or child under the Police Pensions Regulations by reason of the allocation by the husband or father of a portion of his pension.

Intervals for payment of compensation under Part IV

25. Retirement compensation and other compensation awarded as annual sums under this Part of these Regulations shall be payable in advance at intervals equivalent to those at which the corresponding award under the Police Pensions Regulations would have been payable or at such other intervals as may be agreed between the recipient and the compensating authority.

PART V

ADJUSTMENT, REVIEW AND COMPOUNDING OF COMPENSATION

Adjustment of compensation where superannuation benefit is also payable

26.—(1) This Regulation shall apply to a person who, after suffering loss of office as a member of a police force or diminution of emoluments, enters employment in which he is subject to a pension scheme and thereafter a superannuation benefit becomes payable to or in respect of him under that scheme for the purposes of which service is reckonable—

(*a*) by virtue of any reckonable service by reference to which any long-term compensation payable to him falls to be assessed ; or

(*b*) by virtue of any pensionable service which is taken into account for the purposes of any award or notional award under the Police Pensions Regulations, by reference to which the amount of any retirement compensation or compensation payable on death, payable to or in respect of him, falls to be assessed.

(2) The compensating authority may adjust the long-term compensation, retirement compensation or compensation payable on death, as the case may be, payable to or in respect of a person to whom this Regulation applies, by withholding or reducing the compensation in accordance with this Regulation, in respect of any period for which the benefit mentioned in the preceding paragraph is payable.

(3) If the part of any superannuation benefit by way of annual amounts which is attributable to a period of service reckonable as mentioned in paragraph (1) of this Regulation equals or exceeds the part of any compensation which is attributable to the reckonable or pensionable service so mentioned, that part of the compensation may be withheld, but if such part of the superannuation benefit is less than such part of the compensation, the compensation may be reduced by an amount not exceeding such part of the superannuation benefit.

(4) Where retirement compensation is payable to a person to whom this Regulation applies who had attained the age of forty years at the date of loss of office or diminution of emoluments, then, if the compensation is assessed by reference to his notional pension calculated in accordance with Regulation 21 of these Regulations, the compensation may be reduced by that part thereof as is attributable to the additional period of pensionable service referred to in paragraph (2) of the said Regulation or by so much of that part as appears appropriate to the compensating authority, having regard to—

(*a*) the proportion that additional period of pensionable service bears to the period of subsequent employment mentioned in paragraph (1) of this Regulation ; and

(*b*) the provisions under which service is reckonable for the purposes of the relevant pension scheme as mentioned in paragraph (1)(*b*) of this Regulation.

(5) Where compensation has been calculated in accordance with Regulation 20 of these Regulations, the provisions of this Regulation shall apply only in relation to such part (if any) of the superannuation benefit as is attributable to annual emoluments in excess of those to which the person concerned was entitled on entering the new employment referred to in the said Regulation 20.

(6) Where compensation is payable in respect of diminution of emoluments, the provisions of this Regulation shall apply only in relation to such part (if any) of the superannuation benefit as is attributable to annual emoluments in excess of those to which the person concerned was entitled immediately prior to the diminution.

Provision of information

27. Where—

(*a*) a person after suffering loss of office or diminution of emoluments enters any employment referred to in Regulation 20(1) 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 service or employment by virtue of which the compensation may be withdrawn under Regulation 22(5) of these Regulations, or ceases to be in such service or employment, or receives any increase in his remuneration in such service or employment,

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

Review of award of long-term or retirement compensation

28.—(1) The compensating authority shall, within a period of two years after the date on which any decision on a claim for long-term or retirement compensation for loss of office as a member of a police force (other than compensation payable under Regulation 17 of these Regulations) is notified to a claimant under Regulation 30 of these Regulations, review their decision or, where the claim has been the subject of an appeal, the decision of the tribunal at intervals of not more than six months, and these Regulations

shall apply in relation to any such review as they apply in relation to the initial determination of the claim; and on such review, in the light of any material change in the circumstances of the case, compensation may be awarded, or compensation previously awarded may be increased, reduced or discontinued, subject to the limits set out in these Regulations.

(2) The claimant may require the compensating authority to carry out the review mentioned in the last foregoing paragraph at any time within the period of two years mentioned in that paragraph if he considers that there has been a change in the circumstances of his case which is material for the purposes of these Regulations.

(3) The compensating authority shall carry out a review in accordance with paragraph (1) of this Regulation, notwithstanding the expiration of the period mentioned in that paragraph if—

(*a*) the emoluments of employment or work undertaken in place of service as a member of a police force had been taken into account in determining the amount of any compensation awarded, and

(*b*) such employment or work has been lost or the emoluments thereof reduced, otherwise than by reason of misconduct or incapacity to perform such duties as he might reasonably have been required to perform, and

(*c*) the compensating authority is satisfied that such loss or reduction is causing hardship to the claimant,

and where any decision is so reviewed, the decision shall be subject to further review in accordance with paragraph (1) of this Regulation as if the review carried out under this paragraph had been the initial determination of the claim.

(4) Paragraphs (1) and (2) of this Regulation shall apply in relation to any decision on a claim for long-term or retirement compensation in respect of diminution of emoluments as they apply in respect of any decision mentioned in the said paragraph (1):

Provided that—

(*a*) no review shall take place after the date on which the claimant ceases to hold the office in which his emoluments were diminished, except a review as at that date; and

(*b*) while the claimant continues to hold that office there shall be no limit to the period within which a review may take place.

(5) Notwithstanding anything contained in the foregoing provisions of this Regulation, the compensating authority shall review a decision (whether of the authority or the tribunal) on a claim for long-term compensation for loss of office or diminution of emoluments as a member of a police force after the expiration of any period within which a review is required to be made if at any time—

(*a*) the claimant is engaged in employment (hereinafter referred to as his "current employment") the remuneration whereof is payable out of public funds and which he has undertaken in place of service as a member of a police force, and

(*b*) the aggregate of the net emoluments of his current employment and the long-term compensation payable to him exceed his net emoluments as a member of a police force or, as the case may be, the amount of those emoluments prior to their diminution,

and the authority shall thereafter further review such decision whenever the net emoluments of the claimant's current employment are increased; but

if on any such review the compensation is reduced, it shall not be reduced below the amount by which the net emoluments of the claimant's current employment fall short of his net emoluments as a member of a police force or, as the case may be, the amount of those emoluments prior to their diminution.

(6) The compensating authority shall give to a claimant not less than fourteen days' notice of any review to be carried out under this Regulation otherwise than at his request.

(7) Nothing in this Regulation shall preclude the making of any adjustment of compensation required by any other provision of these Regulations.

Compounding of awards

29.—(1) In a case where compensation which has been or might be awarded under these Regulations does not exceed £26 a year, the compensating authority may, at their discretion, compound their liability in respect thereof by paying a lump sum equivalent to the capital value of the annual sum.

(2) In any other case the compensating authority may, if the person who has been awarded long-term or retirement compensation requests them to do so and they, in their discretion, after having regard to the state of health of that person and the other circumstances of the case, deem fit, compound up to one quarter of their liability to make payments under the award (other than payments to a widow or child under Regulation 23 of these Regulations) by the payment of an equivalent amount as a lump sum.

(3) The making of a composition under paragraph (2) of this Regulation in relation to an award of long-term or retirement compensation shall not prevent the subsequent making of a composition under paragraph (1) of this Regulation in relation to that award, but, subject as aforesaid, not more than one composition may be made in relation to any award.

PART VI

PROCEDURE AND MISCELLANEOUS

Procedure on making claims

30.—(1) Every claim for compensation under these Regulations and every request for a review of an award of long-term or retirement compensation shall be made in accordance with the provisions of this Regulation.

(2) Every such claim and request shall be made to the compensating authority in a form approved by the Secretary of State for the purpose and shall state whether any other claim for compensation has been made by the claimant under these Regulations.

(3) Resettlement compensation shall be claimed separately from any other form of compensation claimable under these Regulations.

(4) The compensating authority shall consider any such claim or request in accordance with the relevant provisions of these Regulations and shall notify the claimant in writing of their decision—

(*a*) in the case of a claim for resettlement compensation, not later than one month after the receipt of the claim, and

(*b*) in the case of a claim for, or request for the review of an award of, compensation under Part III or Part IV of these Regulations, not later than thirteen weeks after the receipt of the claim or request, and

(*c*) in any other case, as soon as may be after the decision.

(5) Every notification of a decision by the compensating authority (whether granting or refusing compensation or reviewing an award, or otherwise affecting any compensation under these Regulations) shall contain a statement—

(*a*) giving reasons for the decision ;

(*b*) showing how any compensation has been calculated and, in particular, if the amount is less than the maximum which could have been awarded under these Regulations, showing the factors taken into account in awarding that amount ; and

(*c*) directing the attention of the claimant to his right, if he is aggrieved by the decision, to refer the matter to the tribunal, and giving him the address of the office to which the reference should be sent.

Claimants to furnish information

31.—(1) Any person claiming or receiving compensation or whose award of compensation is being reviewed shall furnish all such information and supplementary information as the compensating authority or the tribunal may at any time reasonably require ; and shall verify the same in any such manner, including the production of books or of original documents in his possession or control, as may be reasonably so required.

(2) Any such person as aforesaid shall, on receipt of reasonable notice, present himself for interview at any such place as the compensating authority or the tribunal may reasonably require.

(3) Any person who attends for interview as aforesaid may, if he so desires, be represented by his adviser.

Procedure on death of claimant

32.—(1) In the event of the death of a claimant or of a person who, if he had survived, could have been a claimant, the claim for compensation under these Regulations may be continued or made (as the case may be) by his personal representative.

(2) Where any such claim is continued or made as aforesaid by a personal representative, the personal representative shall, as respects any steps to be taken or thing to be done by him in order to continue or make the claim, be deemed for the purposes of these Regulations to be the claimant, but, save as aforesaid, the person in right of whom he continues or makes the claim shall be deemed for all the purposes of these Regulations to be the claimant, and the relevant provisions of these Regulations shall be construed accordingly :

Provided that the compensating authority may in any such case extend the period within which a claim is required to be made by Regulation 5 or 11 of these Regulations.

Calculation of reckonable service

33. For the purpose of making any calculation under these Regulations in respect of a person's reckonable service, all periods of such service shall be aggregated, and if the aggregated service includes a fraction of a year, that fraction shall, if it equals or exceeds six months, be treated as a year, and in any other case be disregarded.

Compensation not assignable

34.—(1) Subject to any statutory provision in that behalf, any compensation under these Regulations shall be paid by the compensating authority and (except in the case of compensation payable in accordance with Regulation 23(3) of these Regulations) shall be payable to, or in trust for, the person who is entitled to receive it, and shall not be assignable.

(2) Any sum payable as compensation to a person by a compensating authority shall be recoverable as a debt due from the authority.

Right of appeal from decision of the compensating authority

35.—(1) Every claimant who is aggrieved by any decision of the compensating authority with respect to compensation under these Regulations or by any failure on the part of the compensating authority to notify him of any such decision within the appropriate time prescribed by these Regulations may within three months of the notification to him of the decision or the expiry of the prescribed time, as the case may be, refer the matter to the tribunal.

(2) Reference of a matter to the tribunal as aforesaid by a claimant shall be made in writing.

(3) On receipt of such a reference, the tribunal shall consider and determine the matter in accordance with the provisions of these Regulations and the compensating authority shall give effect to the decision of the tribunal with any modifications that may be required in consequence of any appeal from the decision on a point of law.

(4) On any such reference the tribunal may, if it thinks fit, appoint a person having special knowledge or experience in relation to the subject matter of the reference to sit with the tribunal as an assessor.

Application of payments

36. Any payment made by a person to a compensating authority under Regulation 22(1) of these Regulations, by reason that he has received an award by way of return of pension contributions under the Police Pensions Regulations, shall, except in so far as it has been refunded to him, be applied to the payment of compensation which the authority are liable to pay under Part IV of these Regulations.

Application of Regulations in case of a chief constable serving as such on 1st July 1964

37.—(1) This Regulation shall apply in the case of the chief constable of a police force who—

(*a*) after becoming a member of another force by virtue of section 58 of the Police Act 1964, ceases to be a member of that force without having accepted and taken up an appointment therein, and

(*b*) was the chief constable of a police force on 1st July 1964.

(2) Notwithstanding anything in these Regulations, in the case of a person to whom this Regulation applies payments by way of compensation shall be made to or in respect of him of the like amounts, and on the like conditions in all respects, as would have been so made under the Police Pensions Regulations had the police force first mentioned in this Regulation been combined with another police force under the Police Act 1946 and

he had neither been transferred to the combined force nor joined it within three months.

(3) For the purposes of this Regulation, the amount of any payment by way of compensation which would have been made under the Police Pensions Regulations, in the aforesaid circumstances, shall be the amount of the pension or allowance which would have been payable in those circumstances less the amount of the pension or allowance to which there is in fact entitlement under the Police Pensions Regulations.

PART VII

INTERPRETATION AND COMMENCEMENT

Interpretation

38.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"age of compulsory retirement" means, in relation to a member of a police force, the age at which he would become liable to be required to retire on account of age under the Police Pensions Regulations;

"compensating authority" means, in the case of any person or class of persons who suffer loss of office or loss or diminution of emoluments as a member of a police force which is attributable to the provisions of any such order or scheme as is mentioned in Regulation 2 of these Regulations, the authority designated by that order or scheme as the compensating authority for the purpose of the application of these Regulations in relation to that person or class of persons;

"emoluments" means all salary, wages, fees and other payments paid or made to a person, for his own use, and by virtue of his employment, and includes the money value of any apartments, rations or other allowances in kind appertaining to his employment, but does not include payments for overtime, other than payments which are a usual incident of his employment, or any allowances payable to him to cover the cost of providing office accommodation or clerical or other assistance, or any travelling or subsistence allowance or other moneys to be spent, or to cover expenses incurred by him, for the purposes of his employment; and

"net emoluments" means—

(*a*) in relation to service in a police force, wherein a person has suffered loss of office or diminution of emoluments, the annual rate of the person's emoluments as a member of that force immediately before such loss or diminution, less the pension contributions payable by him under the Police Pensions Regulations; and

(*b*) in relation to any other service or employment, the annual rate of the emoluments of that employment at the time in question, less such part of those emoluments as the officer was then liable to contribute under any pension scheme associated therewith;

"local authority" means the council of a county, county borough, metropolitan borough, London borough, county district, rural parish or borough included in a rural district and includes the Greater London Council, the Common Council of the City of London, the council of the Isles of Scilly, any two or more of those authorities acting jointly, any joint committee, combined authority or joint board and a police authority for a county, a borough or a combined police area;

" long-term compensation " means compensation payable in accordance with the provisions of Part III of these Regulations for loss of employment or loss or diminution of emoluments ;

" material date " in relation to any person who has suffered loss of employment or loss or diminution of emoluments as a member of a police force means the date on which the order or scheme to which such loss or diminution was attributable, was made or approved by the Minister concerned or such other date or dates as may be specified in the order or scheme in relation to him for all or any of the purposes of these Regulations ;

" national service " means service which is relevant service within the meaning of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951(a), and includes service immediately following such service as aforesaid, being service in any of Her Majesty's naval, military or air forces pursuant to a voluntary engagement entered into with the consent—

(*a*) in the case of a person whose last relevant employment was as a justices' clerk, of the authority by whom he was appointed, or

(*b*) in the case of any other person, of the authority or person under whom he held his last relevant employment,

and, in relation to a member of a police force, service otherwise than as such a member which is pensionable under the Police Pensions Regulations ;

" office " includes any place, situation or employment, and the expression " officer " shall be construed accordingly ;

" pensionable pay ", " average pensionable pay " and " preserved pensionable pay " have the same meanings, respectively, as in the Police Pensions Regulations ;

" pension scheme " means a scheme for the payment of superannuation benefits to a person as part of the terms and conditions of any employment held by him ;

" pensionable service " has the same meaning as in the Police Pensions Regulations ;

" Police Pensions Regulations " means the Regulations from time to time in force under the Police Pensions Act 1948 ;

" reckonable service " in relation to a person means any period of whole-time employment and the proportionate part of any period of part-time employment in any relevant employment and includes any period of war service or national service undertaken on the person's ceasing to hold any such employment but does not include employment of which account has been taken, or is required to be taken, in calculating the amount of any superannuation benefit to which the person has become entitled ;

" registration officer " means a superintendent registrar, deputy superintendent registrar, registrar of births and deaths, deputy registrar of births and deaths, registrar of marriages appointed under section 7 of the Registration Service Act 1953(b), or a person employed under any such officer for the purposes of his functions as such officer ;

" relevant employment " means service or employment—

(*a*) under the Crown, in the service of a local authority in Great Britain or as a member of a police force, or

(a) 14 & 15 Geo. 6. c. 65. (b) 1 & 2 Eliz. 2. c. 37.

(*b*) by or under any authority or body for the purposes of the Crown or of local government in Great Britain, or

(*c*) under any officer employed as mentioned in either of the foregoing paragraphs of this definition for the purposes of the functions of the employing authority or body, or

(*d*) preceding such service or employment, which may be reckonable, in whole or in part as pensionable service for the purposes of the Police Pensions Regulations, or

(*e*) in such other service as the Secretary of State may, in the case of any named person, approve;

"resettlement compensation" means compensation payable in accordance with Part II of these Regulations for loss of office suffered by a person to whom these Regulations apply;

"retirement compensation" means compensation payable in accordance with the provisions of Regulation 16, 17, 18 or 19 of these Regulations;

"tribunal" means a referee or board of referees appointed by the Minister of Labour after consultation with the Lord Chancellor;

"war service" means war service within the meaning of the Local Government Staffs (War Service) Act 1939(**a**), the Teachers Superannuation (War Service) Act 1939(**b**), the Police and Firemen (War Service) Act 1939(**c**) or employment for war purposes within the meaning of the Superannuation Schemes (War Service) Act 1940(**d**) and includes any period of service in the First World War in the armed forces of the Crown or in the forces of the Allied or Associated Powers if such service immediately followed a period of relevant employment and was undertaken either compulsorily or with the permission of the employer in that employment.

(2) The following persons shall be deemed for the purposes of these Regulations to be officers of a local authority, whether or not they are the holders of any office under such an authority, that is to say—

(*a*) registration officers,

(*b*) public analysts and deputy public analysts,

(*c*) medical referees and deputy medical referees of crematoria provided by local authorities,

and references to employment in the service of a local authority shall be construed accordingly.

(3) Where under any provision of these Regulations a capital value is to be assigned to an annual amount, the capital value shall be calculated by the Government Actuary.

(4) Unless the context otherwise requires, references in these Regulations to the provisions of any enactment, rule, regulation, order or scheme shall be construed as references to those provisions as amended or re-enacted by any subsequent enactment, rule, regulation, order or scheme.

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

(**a**) 2 & 3 Geo. 6. c. 94. (**b**) 2 & 3 Geo. 6. c. 95.
(**c**) 2 & 3 Geo. 6. c. 103. (**d**) 3 & 4 Geo. 6. c. 26. (**e**) 52 & 53 Vict. c. 63.

Citation and commencement

39. These Regulations may be cited as the Police (Compensation) Regulations 1965 and shall come into operation on 1st April 1965.

Frank Soskice,
One of Her Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
22nd March 1965.

EXPLANATORY NOTE

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

1. These Regulations provide for the payment of compensation to a chief constable, deputy chief constable or assistant chief constable, who suffers loss of office as a member of a police force or loss or diminution of emoluments which is attributable to an order effecting local government reorganisation, made under Part VI of the Local Government Act 1933 or Part II of the Local Government Act 1958, or to an amalgamation scheme made or approved under Part I of the Police Act 1964.

2. The compensation payable is—

(*a*) resettlement compensation for loss of office (Part II);

(*b*) long-term compensation for loss of office or diminution of emoluments (Part III);

(*c*) retirement compensation for loss of office or loss or diminution of emoluments (Part IV);

(*d*) compensation to the widow, child or dependant relative of a claimant (Part IV).

3. Resettlement compensation is payable for a period not exceeding 26 weeks to persons with at least 3 years' service in a police force or in other relevant employment. The qualifying conditions and factors to be considered are set out in Regulations 5, 7, 8 and 9. The method of calculating the amount of compensation is contained in Regulation 6.

4. Long-term and retirement compensation are payable to persons with at least 8 years' service in a police force or in other relevant employment. The qualifying and other conditions are set out in Regulations 10, 11 and 12.

5. The method of calculating the maximum amount of long-term compensation is laid down in Regulations 13 (loss of office) and 14 (diminution of emoluments). It is a proportion, not exceeding two thirds of the net emoluments lost or of the amount by which emoluments have been diminished, as the case may be. This compensation is payable from a date determined under Regulation 17 and can be payable up to the age of compulsory retirement.

6. Retirement compensation payable to a person for loss of office is based upon his notional pension calculated by reference to his pensionable service at the date of loss with, in the case of a person who had then attained the age of 40, added years (Regulations 18 and 21). Retirement compensation for diminution of emoluments is an appropriate proportion of that for loss of office (Regulation 19). Retirement compensation is ordinarily payable from the age of compulsory retirement but in certain circumstances may be put into payment earlier (Regulations 16 and 17).

7. Provision is made for the payment of compensation to a widow, child or dependant relative corresponding to that made by the Police Pensions Regulations for the payment of an award to such a person (Regulation 23).

8. Part V provides for long-term and retirement compensation to be reviewed and for awards to be varied in the light of changes of circumstances (Regulation 28). It also contains provisions for the adjustment and compounding of awards in certain circumstances (Regulations 26 and 29).

9. Part VI relates to procedural and miscellaneous matters. A claimant who is aggrieved by a decision, or by a failure of the compensating authority to notify their decision, may appeal to a tribunal appointed by the Minister of Labour (Regulation 35). Special provision is made in the case of a chief constable who was serving as such on 1st July 1964, when section 58 of the Police Act 1964 came into force (Regulation 37).

10. Part VII relates to the interpretation of the Regulations and provides that they shall come into operation on 1st April 1965.