of the Commission, or, if a section 5 company, until the shares are sold. An employee whose pay is reduced after transfer to the company may be allowed to continue to contribute to and benefit from his pension scheme by reference to his former rate of pay. Provision is made for the preservation of pension rights accruing during employment with the company.

An employee who remains in the employment of the Commission but suffers a reduction of pay may be allowed to contribute to and benefit from his pension scheme by reference to his former rate of pay. An employee who is transferred from a pensionable to a non-pensionable grade in the Commission's service can elect within three months to remain in his pension scheme; if he does not elect to remain, his accrued pension rights will be preserved as if he had lost his employment (Reg. 12).

Provision is made for the settlement of disputes (Reg. 13).

1953 No. 846

The Transferred Undertakings (Compensation to Employees) (Amendment) Regulations, 1953

Made - - - -	15*th May*, 1953
Coming into Operation	29*th May*, 1953

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

Now, therefore, the Minister of Transport in exercise of the powers conferred upon him by section 101 of the Transport Act, 1947(**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 14th day after the date on which these Regulations are made and may be cited as the Transferred Undertakings (Compensation to Employees) (Amendment) Regulations, 1953.

(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. Paragraph (3) of Regulation 1 of the Transferred Undertakings (Compensation to Employees) Regulations, 1950(**c**), (hereinafter referred to as "the Principal Regulations") shall have effect as though in the definition of the expression "whole time service" the following words were inserted after the word "remuneration" at the end thereof:—

> "and includes any period after attaining the said age and before the date of the relevant event during which he was the owner or part owner of an undertaking the activities of which consisted wholly or partly of the operation of any vehicles authorised to be used under an "A" or a "B" licence."

3.—(1) 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

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(**a**) 10 & 11 Geo. 6. c. 49. (**b**) 52 & 53 Vict. c. 63.
(**c**) S.I. 1950/1083; 1950 II. p. 66.

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.

(2) 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.

Given under the Official Seal of the Minister of Transport this fifteenth day of May, 1953.

(L.S.) *Alan Lennox-Boyd,*
The Minister of Transport.

EXPLANATORY NOTE

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

These Regulations amend the Principal Regulations governing the payment of compensation to employees of road haulage undertakings compulsorily acquired by the British Transport Commission. The amendment has two results. Firstly, it enables certain persons to qualify for compensation who were previously ineligible: these are persons who were employees of a road haulage undertaking when the undertaking was acquired by the Commission but who for some part of the period from 1st January, 1940, to the date of acquisition were engaged in the industry not as employees but as owners or part owners of a road haulage undertaking. Secondly, it makes it possible for a period of engagement in A or B licence work as an owner or part owner of a road haulage undertaking to be reckoned as whole time service for the purpose of any provision of the Principal Regulations which relates the amount of compensation to the number of years of whole time service.

A claim for compensation in respect of a past loss, or a request for the review of an award of compensation already made, arising out of these Regulations, must be made within 13 weeks of the coming into operation of these Regulations (Regulation 3).