1965. No. 248 [C]

TERMS AND CONDITIONS OF EMPLOYMENT

Redundancy Payments—Statutory Compensation

REGULATIONS, DATED 25TH NOVEMBER, 1965, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTION 53 OF THE CONTRACTS OF EMPLOYMENT AND REDUNDANCY PAYMENTS ACT (NORTHERN IRELAND) 1965.

The Ministry of Health and Social Services in exercise of powers conferred by section 53 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(a) and of all other powers enabling it in that behalf hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Contracts of Employment and Redundancy Payments (Statutory Compensation) Regulations (Northern Ireland) 1965 and shall come into operation on 6th December, 1965.

Interpretation

2. In these Regulations—

"the Act" means the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965;

"employee" has the meaning assigned to it by section 63(3) of the Act and includes any person in respect of whom the Act has effect as if he were an employee within the meaning of that section;

"employer" has the meaning assigned to it in section 63(3) of the Act and includes any person in respect of whom the Act has effect as if he were an employer within the meaning of that section: PROVIDED that in a case where an employee's remuneration is by virtue of any statutory provision payable to him by a person (except a Government Department) other than his employer "employer" means that other person;

"statutory compensation" means compensation, whether it consists of one or more payments under any of the statutory provisions specified in the Schedule (being a statutory provision in force immediately before 6th December, 1965) for loss of employment, or for loss or diminution of emoluments or of pension rights, in consequence of the operation of any other statutory provision referred to in the statutory provision so specified.

Application

3. These Regulations apply in any case in which an employee on or after 6th December, 1965 becomes entitled to statutory compensation and the circumstances are such that he is also entitled to a redundancy payment under the Act from his employer.

Set-off of redundancy payments against statutory compensation

4.—(1) In any case in which these Regulations apply, the amount of the statutory compensation which would, apart from these Regulations, become due to the employee shall be reduced by the amount of the redundancy payment

(a) 1965. c. 19 (N.I.).

under the Act which is to be paid to the employee and, in so far as the statutory 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 the statutory compensation by the amount of the redundancy payment.

(2) Each of the statutory provisions specified in the Schedule to these Regulations (being a statutory provision in force immediately before 6th December, 1965) shall have effect subject to these Regulations.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 25th day of November, 1965.

(L.S.)

W. Slinger,
Assistant Secretary.