TRAINING SCHOOLS

Contributions by Local Authorities

REGULATIONS, DATED 26TH MARCH, 1957, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SUB-SECTION (1) OF SECTION 126 AND SUB-SECTION (2) OF SECTION 134 OF THE CHILDREN AND YOUNG PERSONS ACT (NORTHERN IRELAND), 1950.

1957. No. 51 **[C]**

The Ministry of Home Affairs for Northern Ireland, in pursuance of the powers conferred upon it by sub-section (1) of Section 126 and sub-section (2) of Section 134 of the Children and Young Persons Act (Northern Ireland), 1950, hereby makes the following Regulations:—

1. The contributions to be made under sub-section (1) of Section 126 of the Children and Young Persons Act (Northern Ireland), 1950, by the local authority named in a training school order to the expenses of the managers of a training school throughout any time in the financial year 1957-58 during which the person to whom the order relates is under the care of the said managers and not out on licence or under supervision shall be at the rate of eighty-five shillings and four pence a week.

2. These Regulations may be cited as the Training Schools (Contributions by Local Authorities) Regulations (Northern Ireland), 1957, and shall come into operation on the 1st day of April, 1957.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 26th day of March, Nineteen Hundred and Fifty-seven, in the presence of

(L.S.) *J. B. O'Neill,*
Assistant Secretary.

TRANSPORT

Compensation to Great Northern Railway Employees

REGULATIONS, DATED THE TWENTIETH DAY OF SEPTEMBER, 1957, MADE BY THE MINISTRY OF COMMERCE, WITH THE APPROVAL OF THE MINISTRY OF FINANCE, UNDER SECTION 37 OF THE GREAT NORTHERN RAILWAY ACT (NORTHERN IRELAND), 1953.

1957. No. 202 **[NC]**

The Ministry of Commerce, in exercise of the powers conferred upon it by section 37 of the Great Northern Railway Act (Northern Ireland), 1953(a), hereby makes the following Regulations:—

(a) 1953 Ch. 25, (N.I.).

1.—(1) These Regulations may be cited as "The Great Northern Railway (Compensation to Employees) Regulations (Northern Ireland), 1957," and shall come into operation on the Twentieth day of September, 1957.

(2) In these Regulations and the Schedules thereto, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the Act" means the Great Northern Railway Act (Northern Ireland), 1953.

"the Ministry" means the Ministry of Commerce;

"the Board" means the Great Northern Railway Board;

"the Company" means the Great Northern Railway Company (Ireland);

"existing superannuation scheme" has the same meaning as in section 39 of the Act;

"relevant age" means in relation to Members of the Board's Wages Staff Pensions Fund sixty-five years of age and in relation to officers or servants of the Board other than Members of the Board's Wages Staff Pensions Fund sixty years of age for males and fifty-five years for females.

"officer or servant" means a person employed as an officer or servant by the Board who was immediately before the relevant event resident in Northern Ireland;

"officer or servant of the Company" means a person who was in the employment of the Company as an officer or servant and who became an officer or servant of the Board by virtue of section 36 of the Act;

"relevant event" means the termination wholly, in accordance with the provisions of Part III of the Act, of a transport service provided by the Board on any railway line of the Board's undertaking;

"relevant train service" means the train service terminated by the relevant event;

"emoluments" means all salary, wages, fees and other payments of a similar nature paid or made to an officer or servant as such for his own use; all bonuses, allowances, commissions, gratuities, special duty and overtime pay that are of a recurrent (whether seasonal or otherwise) nature; and the money value of all travel privileges, free accommodation, and any other allowances in kind, privileges or benefits, whether obtaining legally or by customary practice; it excludes all payments for travelling, subsistence, accommodation, engagement of assistance and other expenses incurred in the course of employment, and all overtime and other payments that do not reflect a permanent state of affairs;

"current net emoluments" in relation to an existing officer or servant suffering loss of employment or loss or diminution of emoluments or worsening of conditions means his annual rate of emoluments at the date of such loss diminution or worsening, after deducting therefrom any

contribution payable by the officer or servant under any pension scheme associated with his employment; furthermore any amount by which emoluments exceed £4,000 shall be disregarded;

" tribunal " means a referee or board of referees appointed by the Ministry of Labour and National Insurance;

" war service " means

(i) service in any of Her Majesty's Forces;

(ii) any employment in the merchant navy or fishing fleets;

(iii) any full time employment in the Civil Defence Services (including the National Fire Service), the Royal Observer Corps, the Police War Reserve, the Nursing and First Aid Services, and the Women's Land Army;

(iv) any full-time employment into which the officer or servant entered by direction of the Ministry of Labour and National Insurance;

(v) detention by the enemy as a prisoner, military or civil, in any enemy or enemy-occupied country, or internment in any enemy or enemy-occupied or neutral country in consequence of the war;

(vi) such other employment as the Ministry may in writing approve;

such service, employment, detention or internment being on or after the twenty-sixth day of May, 1939, or during the war of 1914 to 1918, but not including any voluntary extension of war service or voluntary enlistment after the cessation of hostilities otherwise than with the consent of the Board or the Company, both at the time of the consent and immediately before the commencement of his war service;

" whole time service " means employment after attaining the age of eighteen years

(i) as an officer or servant;

(ii) as an officer or servant of the Company;

(iii) on any detached service which, in accordance with the customary practice of the Board or the Company would, or which it was expressly agreed at the time should, be reckoned as service with the Board or the Company;

(iv) on war service following immediately upon any of the preceding employments;

(v) on such other service as the Ministry may in the case of any named employee in writing approve;

to which the employee is required to devote on the average not less than 30 hours per week during which he is not at liberty to undertake other work in consideration of a fee or other remuneration;

" completed year of whole time service " means service for a period of three hundred and sixty-five days, or a number of periods amounting in the aggregate to three hundred and sixty-five days:

Provided that if the period or periods of whole time service when aggregated include a fraction of a year, that fraction shall, if it exceeds one hundred and eighty-two days, be treated as a year, and in any other case be disregarded.

2. Without prejudice to any other requirements of these Regulations nothing in these Regulations shall entitle an officer or servant to compensation unless in consequence of the relevant event one or more of the following conditions are satisfied in relation to that officer or servant, that is to say:—

(*a*) his office or situation as an officer or servant is abolished or he is required by the Board to vacate that office or situation for any reason other than reaching the relevant age, misconduct or incapacity to perform such duties as immediately before vacating that office he was performing or might reasonably have been required to perform, and he is not offered by the Board a reasonably comparable office or situation; or

(*b*) his services are dispensed with by the Board on the ground that they are not required or for any reason other than reaching the relevant age, misconduct or incapacity to perform such duties as immediately before his services were dispensed with he was performing or might reasonably have been required to perform; or

(*c*) his emoluments are reduced; or

(*d*) he otherwise suffers any direct pecuniary loss (including loss of pension rights); or

(*e*) he is without his consent in a worse position with respect to the conditions of his service as a whole (including tenure of office, emoluments, sick fund or sick pay, and pension rights) as compared with the conditions of service formerly obtaining in respect of him;

Provided that the duties which an officer or servant is required to perform shall not, for the purposes of this Regulation, be deemed to be not reasonably comparable to those which (apart from any war service) he last performed by reason only that they involve a transfer of his employment from one place to another place.

3.—(1) This Regulation applies to every officer or servant who loses his employment as an officer or servant in consequence of the relevant event and thereby suffers direct pecuniary loss being an officer or servant who

(i) had been continuously engaged (exclusive of any breaks due to sickness or personal injury not exceeding in the aggregate six months) in whole-time service for the period of three years immediately preceding the date of the relevant event; and

(ii) immediately before the relevant event had been directly employed on the relevant train service or wholly in connection therewith.

(2) Subject to the provisions of this Regulation every officer or servant to whom this Regulation applies shall subject to his complying with the procedure and conditions set out in the First Schedule to these Regulations be entitled to receive, by way of compensation in respect of loss of employment, resettlement payment to be determined in accordance with the provisions of the Second and Third Schedules to these Regulations.

(3) Without prejudice to any other requirements of these Regulations, nothing in this Regulation shall entitle an officer or servant to whom this Regulation applies to compensation under the foregoing provisions of this Regulation unless—

(*a*) the cause of claim to compensation arises not later than five years after the relevant event; and

(*b*) the claim to resettlement payment is made, in the manner set out in the First Schedule, not later than six weeks after the date of the loss of employment in consequence of the relevant event or, if the Board is satisfied that exceptional circumstances have caused unavoidable delay in the making of a claim in a particular case, within such longer period as the Board may in that case determine.

4.—(1) This Regulation applies to every officer or servant who, being an officer or servant who, in consequence of the relevant event, suffers loss of employment or diminution of emoluments or whose position is worsened

(i) had been continuously engaged (exclusive of breaks due to sickness or personal injury not exceeding in the aggregate eighteen months) in whole-time service since 1st April, 1946; and

(ii) was at the date of the relevant event aged 50 years or over; and

(iii) immediately before the relevant event had been directly employed on the relevant train service or wholly in connection therewith.

(2) Without prejudice to any other requirements of these Regulations nothing in these Regulations shall entitle an officer or servant to whom this Regulation applies to compensation (other than a resettlement payment) unless—

(*a*) the cause of claim to compensation arises not later than five years after the relevant event; and

(*b*) the claim to compensation is made in the manner set out in the First Schedule not later than six weeks after the end of the resettlement period of the officer or servant concerned or, if the Board is satisfied that exceptional circumstances have caused unavoidable delay in the making of a claim in a particular case, within such longer period as the Board may in that case determine.

(3) Subject to the provisions of these Regulations every officer or servant to whom this Regulation applies who, in consequence of the relevant event, suffers any direct pecuniary