
STATUTORY INSTRUMENTS

1957 No. 1681

OFFICERS AND OFFICES

**The Justices of the Peace Act, 1949
(Compensation) Regulations, 1957**

Made - - - - 18th September 1957

In pursuance of the powers conferred on me by section forty-two of the Justices of the Peace Act, 1949, I hereby make the following Regulations:—

1. For sub-paragraph (1) of paragraph 23 of the Schedule to the Justices of the Peace Act, 1949 (Compensation) Regulations, 1954⁽¹⁾, there shall be substituted the following sub-paragraph:—

“(1) The compensation awarded to a whole-time officer for diminution of emoluments shall be awarded by way of an annual sum, payable for the same period or periods as would be the case were he a whole-time officer claiming compensation for loss of office under Parts II and III of this Schedule, and shall not, in respect of any such period, exceed a sum bearing the same proportion to the maximum amount of compensation which could have been awarded had he lost office as the difference between the annual rates of his emoluments immediately before and after diminution bears to the annual rate of his emoluments immediately before diminution:

Provided that where the said proportion is less than five per cent. no compensation shall be awarded.”

2. These Regulations may be cited as the Justices of the Peace Act, 1949 (Compensation) Regulations, 1957.

R. A. Butler
One of Her Majesty's Principal Secretaries of
State
Home Office, Whitehall

18th September, 1957

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EXPLANATORY NOTE

Part IV of the Schedule to the Justices of the Peace Act, 1949 (Compensation) Regulations, 1954, provides for the compensation of a whole-time clerk of the peace, justices' clerk or assistant of the holder of such an office who suffers a diminution of emoluments in the circumstances set out in Regulation 4 of those Regulations and for the review from time to time of such compensation. The amount of the compensation is within prescribed limits discretionary.

Sub-paragraph (1) of paragraph 23 of the Schedule to the 1954 Regulations specifies the maximum permissible compensation for diminution of emoluments in terms of a proportion of the maximum compensation which would have been payable under Parts II and III of that Schedule had the officer lost his office. The present Regulations, which correct a drafting error, provide that the relevant proportion is the proportion which the diminution of the officer's emoluments bears to his emoluments before diminution.