
STATUTORY INSTRUMENTS

1974 No. 759

The Police (Compensation) Regulations 1974

PART II

ENTITLEMENT TO COMPENSATION

Persons to whom the Regulations apply

3.—(1) Subject to the provisions of paragraph (2), these Regulations shall apply to any person who—

- (a) was serving immediately before the material date in a police force as the chief constable or deputy chief constable thereof or in the rank of assistant chief constable; or
- (b) would have been so serving at that time but for any national service on which he was then engaged.

(2) These Regulations shall not apply to a person duly entitled within the meaning of the Police (Retirement of Senior Officers) Regulations 1973⁽¹⁾.

Grounds of entitlement to compensation

4.—(1) Subject to the provisions of these Regulations, any 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 any provision of the Act or of any instrument made under the Act 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 these Regulations.

(2) Without prejudice to the generality of these Regulations, paragraph (1) shall apply to a person who—

- (a) for the purposes of accepting an appointment as a member of a police force described in sub-paragraph (b) of this paragraph, terminates his services as a member of a police force;
- (b) at any time before 1st April 1974 accepted an appointment as a member of a police force for a police area as established on 1st April 1974;
- (c) would, but for his acceptance of the appointment described in the said sub-paragraph (b), have become on 1st April 1974 in accordance with the provisions of section 255 of the Act a member of a police force;

and in determining the compensating authority for the purposes of these Regulations, any loss or diminution of emoluments suffered by him which is attributable thereto shall be assumed to have occurred on the day after that on which he enters the employment described in the said sub-paragraph (b).

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National service

5.—(1) Where any person to whom these Regulations apply would have been serving immediately before the material date as a member of a police force 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, of diminution of emoluments.

(2) The loss of office which is the ground of a claim for compensation under sub-paragraph (a) of paragraph (1) 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.