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STATUTORY INSTRUMENTS

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**1975 No. 1092**

**The Colleges of Education (Compensation) Regulations 1975**

**PART III**

**RESETTLEMENT COMPENSATION**

**Amount of resettlement compensation**

**8.—(1)** The amount of resettlement compensation which may be paid to a person shall, subject to the provisions of paragraphs (2) to (6), be the amount described in sub-paragraph (a) or (b) whichever is the greater, namely—

- (a) an amount equal to 13 weeks' emoluments and, in the case of a person who has attained the age of 45 one additional week's emoluments for every year of his age after attaining the age of 45 and before the loss of employment, subject to a maximum addition of 13 such weeks; or
- (b) an amount equal to
  - (i) one and one half week's emoluments for each completed year of reckonable service in which the person was not below the age of 41,
  - (ii) one week's emoluments for each completed year of reckonable service (not falling within sub-paragraph (i) above) in which the person was not below the age of 22, and
  - (iii) one half week's emoluments for each completed year of reckonable service not falling within sub-paragraph (i) or (ii) above.

(2) For the purposes of paragraph (1)(a), if the loss of employment takes place within three years of the date on which the person would have attained normal retiring age, the amount shall be reduced by the fraction of which—

- (a) the numerator is the number of complete periods of 6 months in the period beginning on the date 3 years before that on which he would have attained normal retiring age and ending on the date of loss of employment, and
- (b) the denominator is 6;

but the amount payable to a person who, on the material date, has not been continuously engaged in relevant employment as described in regulation 11(1)(c) shall not by this paragraph be reduced to less than equivalent of 13 weeks' emoluments.

(3) For the purpose of paragraph (1)(b), in the case of a person who has completed more than 20 years' reckonable service, only the period of 20 years immediately prior to the loss of employment shall be taken into account.

(4) For the purpose of paragraph (1)(b), if the loss of a person's employment takes place after he has attained the age described in paragraph (5), the amount shall be reduced by the fraction of which the numerator is the number of whole months in the period beginning on the date on which he attained that age and ending on the date of loss of employment and of which the denominator is 12.

(5) The age mentioned in paragraph (4) is—

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- (a) the age of compulsory retirement applied to the person by virtue of any enactment to which he was subject in the employment which he has lost or by virtue of the conditions of that employment, less 12 months, or
  - (b) if no age of compulsory retirement is applied to the person as described in subparagraph (a) above, the age of 64.
- (6) For the purposes of this regulation, the weekly rate of emoluments shall be deemed to be seven 365ths of the annual rate of emoluments.