

SCHEDULE 15

MODIFICATION IN SPECIAL CASES

Regulation G1

PART I

EMPLOYEES OF MAGISTRATES' COURTS COMMITTEES

1. Where—

- (a) a person is employed by two or more magistrates' courts committees, and
- (b) any of the employments is an employment for which he does not receive separate remuneration,

his remuneration for that employment is that part of his total remuneration which is paid by the body responsible for defraying the expenses of the employing committee, or, where the remuneration for more than one employment is paid by the same body, such part of his total remuneration for those employments as may be agreed between him and the body, or, in default of agreement, determined by the Secretary of State.

2. Without prejudice to regulation B6, a person who holds two or more clerkships under a magistrates' courts committee or is employed by a magistrates' courts committee to assist a justices' clerk or clerks in two or more clerkships shall be deemed for the purposes of these regulations (except regulation C1) to be in separate employments under separate scheduled bodies as respects any clerkships for which the remuneration is paid by different bodies.

3. Regulation C10 (statement of remuneration received otherwise than from employing authority) does not apply.

4. The body paying the person's remuneration are to be treated—

- (a) as his employing authority for the purposes of regulations C11 (deduction of contributions) and P8 (employer's additional contributions),
- (b) as employing him for the purposes of regulation P7 (employer's contributions), and
- (c) as the scheduled body concerned for the purposes of regulation P9 (employer's further payments).

5.—(1) A magistrates' courts committee are to report to the body paying the person's remuneration any decision made by them under—

- (a) regulation C12(9) (return of contributions in case of offence, etc., in connection with employment),
- (b) regulation D7 (increase of reckonable service at discretion of employing authority), or
- (c) regulation M1 (forfeiture of rights).

(2) Regulation N8 has effect as if the body receiving the report were a person mentioned in paragraph (3) of that regulation (service of notice of appeal) and paragraph (2) were omitted.

6. In the case of a person who—

- (a) was on 30th March 1939 subject to the Act of 1922 by virtue of a local Act or an order made by the Secretary of State under a local Act, or
- (b) was on 30th September 1954 a person to whom paragraph (h) of Part III of Schedule 2 to the Act of 1937 applied,

regulation C2 (employee's contributions) has effect with the substitution for "6% of 5%".

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

7. Regulation B8 (age of compulsory retirement) has effect as if for the reference to the age of 65 years there were substituted a reference to the age of 70 years or any lesser age (not being less than 65 years) at which the justices' clerk completes 45 years' reckonable service.

8. Schedule 9 (additional reckonable service for ill-health) has effect with the substitution for "65 years", wherever occurring, of "70 years".