
STATUTORY INSTRUMENTS

1998 No. 192

**The Local Government (Discretionary Payments
and Injury Benefits) (Scotland) Regulations 1998**

PART V

INJURY ALLOWANCES ETC.

Reduction in remuneration

40.—(1) If—

- (a) as a result of anything he was required to do in carrying out his work a person who is employed in a relevant employment—
 - (i) sustains an injury; or
 - (ii) contracts a disease,and suffers a reduction in his remuneration while he is employed in that or any other relevant employment; and
- (b) regulation 39 does not apply,

he shall be entitled to an allowance while the reduction continues.

(2) For the purposes of paragraph (1), a person's remuneration is to be treated as reduced at any time when it is lower than it would have been but for the injury or disease.

(3) The allowance under paragraph (1) is to be paid by the relevant employer and is to be of such amount as the employer may from time to time determine, but must not in any year exceed the shortfall between—

- (a) the person's remuneration in the relevant employment; and
- (b) the remuneration he would have been paid if he had not sustained the injury or, as the case may be, contracted the disease.