



# Town and Country Planning Act 1932

## 1932 CHAPTER 48

### *Miscellaneous Provisions.*

#### **51 Compensation to officers.**

- (1) Every officer of a council who, in consequence of the relinquishment, delegation, or transfer of any powers or duties of that council under any provision contained in sections two to five of this Act, suffers any direct pecuniary loss by determination of his appointment or by diminution or loss of fees, salary, or emoluments, and for whose compensation for that loss provision is not made by any other enactment for the time being in force, shall be entitled to recover compensation under this Act for that loss from that council.
- (2) For the purposes of this section an officer of a council by or from whom any powers or duties are so relinquished, delegated, or transferred—
  - (a) who at any time within five years after the date of the relinquishment, delegation, or transfer, as the case may be, relinquishes office by reason of his having been required to perform duties which are not analogous to, or which are an unreasonable addition to, those which he was required to perform immediately before the said date; or
  - (b) whose appointment is determined or whose salary is reduced within five years after the said date because his services are not required or his duties are diminished, and not on the ground of misconduct or inefficiency,shall be deemed, unless the contrary is shown, to have suffered a direct pecuniary loss in consequence of that relinquishment, delegation, or transfer.
- (3) The provisions of section one hundred and twenty-six of the Local Government Act, 1929, and of the Eighth Schedule to that Act, shall apply in relation to claims for compensation under this Act as they apply in relation to claims for compensation under that Act, subject to the following modifications,—
  - (a) references to that Act shall be construed as references to this Act; and
  - (b) references to the appointed day shall be construed as references to the date of the relinquishment, transfer, or delegation, as the case may be,

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and subject also to such other modifications, if any, as the Minister may consider to be necessary for the purpose of adapting those provisions to cases arising under this Act.

(4) In this section the expression " officer " includes servant.