

Reference No: E109/41/4; **Date:** 20/05/77

Circular 3/1977:- Loss of, or damage to, personal property

A Chara

I am directed by the Minister for Public Service to inform you that he has reviewed the existing delegated authority relating to claims by civil servants for compensation for personal property lost or damaged in the course of their employment. The revised arrangements which will apply in future are set out in the following section.

Revised arrangements

2 Payments, which should always be expressed as ex-gratia, may be made without reference to this Department in the circumstances and subject to the conditions set out in paragraphs 3, 4 and 5.

3 Where a civil servant's property (other than money or valuables) is lost or damaged in the course of his employment, and the loss or damage is not covered by insurance or by any provision for free replacement, and the officer has not been negligent or lacking in reasonable, the Department in which he is serving may, subject to what follows, make whichever of the following payments is appropriate:-

(i) where a damaged article can be repaired - the actual vouched cost of
repairs:

(ii) where an article is lost or damaged beyond repair - the value of the article
immediately before loss or damage, allowing for depreciation.

Payment under (i) or (ii) should not be more than two-thirds of the original cost of the article and this Department should be consulted where it is proposed to pay more than £50 in any one case. These limits need not apply where the loss or damage results from an attack on the officer in the course of his official duties. Where the articles are damaged or lost in areas such as car parks due regard must be had to disclaimers of responsibility displayed or notified to staff.

4 Where the articles claimed for have been stolen from official premises while the officer was on duty and there has been no negligence or lack of reasonable foresight on the part of the officer concerned, or on the part of the officers having care of the area from which the articles were stolen, an ex-gratia payment may be made in accordance with the provisions of paragraph 3.

5. Payment should not be made in respect of loss or damage caused outside official working hours to articles left on official premises.

Other delegated authorities

6 Any existing delegated authorities covering payments in these types of cases in excess of the limits referred to in paragraph 3 are not affected by the provisions of this Circular Letter but regard should be had to the other conditions set out in paragraphs 3, 4 and 5 when dealing with claims for compensation under such delegated authorities.

7 Confidential Circular 10/50 is superseded by this Circular Letter.

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S Mac Gamhna