



# Superannuation (Various Services) Act 1938

1938 CHAPTER 13 1 and 2 Geo 6

An Act to extend the powers conferred by certain enactments relating to superannuation so as to include power to grant the like superannuation benefits, and to permit the like allocation of superannuation benefits to spouses and dependants, as could be granted or permitted in respect of persons in the Civil Service of the State; to provide for distribution without probate of sums not exceeding one hundred pounds due to persons to whom those enactments apply or their legal personal representatives; and for purposes connected with the matters aforesaid. [30th March 1938]

## Modifications etc. (not altering text)

C1 Act excluded by [Church Commissioners Measure 1947 \(No. 2\), s. 17\(1\)](#)

1 ..... F1

## Textual Amendments

F1 [S. 1](#) and Sch. Pt. II repealed by [Superannuation Act 1972 \(c. 11\), s. 29, Sch. 8](#)

## 2 **Distribution of money not exceeding one hundred pounds without probate.**

(1) Where, on the death of a person to whom any of the enactments mentioned in the first column of Part I of the Schedule to this Act applies, any sum not exceeding [<sup>F2</sup>£1, 500] is due to that person or his legal personal representatives in respect of salary, wages or superannuation benefits, then, subject to any regulations made by the Treasury, probate or other proof of the title of the legal personal representatives may be dispensed with, and the said sum may be paid or distributed to or among the persons appearing to the appropriate authority to be beneficially entitled to the personal estate of the deceased person, or to or among any one or more of those persons, or, in the

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case of the illegitimacy of the deceased person or any of his children, to or among such persons as the appropriate authority may think fit, and the appropriate authority or other person responsible for the payment of any such sum shall be discharged from all liability in respect of any such payment or distribution.

- (2) For the purposes of this section, the expression “the appropriate authority” means, in relation to any of the said enactments, the person or body specified in relation to that enactment in the third column of Part I of the Schedule to this Act.

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**Textual Amendments**

- F2** Words substituted by virtue of [Administration of Estates \(Small Payments\) Act 1965 \(c. 32\), s. 1\(1\), Sch. 1 Pt. I](#) and [S.I. 1975/1137, art. 3\(a\)](#)

**3 Short title and interpretation.**

- (1) This Act may be cited as the Superannuation (Various Services) Act 1938.
- (2) In this Act the expression “superannuation benefits” includes a superannuation allowance, additional allowance, annual allowance, retiring allowance, compensation allowance, gratuity, pension, compensation and annuity.

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## SCHEDULE

Sections 1 and 2.

### ENACTMENTS EXTENDED AND APPROPRIATE AUTHORITY THEREUNDER

#### PART I

##### ENACTMENTS TO WHICH SECTIONS ONE AND TWO APPLY

Enactment.	Appropriate Authority.	
	[ F3 For the purposes of section one of this Act.]	For the purposes of section two of this Act.
The M1 Caledonian and Crinan Canals Amendment Act 1860, section thirty-two, as amended by and in pursuance of section two and subsection (2) of section thirty of the M2 Ministry of Transport Act 1919.	F3 ...	The Minister of Transport.
...	...	...
F4	F4	F4
[ <sup>F5</sup> The <sup>M3</sup> Merchant Shipping (Mercantile Marine Fund) Act 1898, section 1A, as inserted by section 17 of the <sup>M4</sup> Superannuation Act 1972.]	F3 ...	A general lighthouse authority.
...	...	...
F6	F6	F6
The M5 Development and Road Improvements Funds Act 1910, section two, subsection (2).	F3 ...	The Development Commissioners.
The M6 Electricity (Supply) Act 1919, section one, subsection (7), as amended by and in pursuance of subsection (1) of section	F3 ...	The Electricity Commissioners

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thirty-nine of that Act and by section fifty of, and the Sixth Schedule to, the  
M7

Electricity (Supply) Act 1926.

<p>...</p> <p>F7</p>	<p>...</p> <p>F7</p>	<p>...</p> <p>F7</p>
<p>[<sup>F8</sup>The <sup>M8</sup>Transport Act 1962, tenth Schedule, paragraph 8.]</p>	<p>F3</p> <p>...</p>	<p>The Minister of Transport</p>
<p>F9</p> <p>...</p>	<p>F9</p> <p>F3</p> <p>...</p>	<p>F9</p> <p>...</p>

#### Textual Amendments

- F3** Sch. Pt I, the column specifying the appropriate authority for the purposes of section 1, repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. IX** Group1.
- F4** Entry repealed by [Superannuation \(Miscellaneous Provisions\) Act 1967 \(c. 28\)](#), **s. 15(8)(e)**
- F5** Words substituted by [Superannuation Act 1972 \(c. 11\)](#), **Sch. 6 para. 17**
- F6** Entry repealed by [Superannuation \(Amendment\) Act 1965 \(c. 10\)](#), **Sch. 4 Pt. II**
- F7** Entries repealed by [Forestry Act 1967 \(c. 10\)](#), **Sch. 7 Pt. I**
- F8** Words substituted by virtue of [Transport Act 1962 \(c. 46\)](#), **Sch. 10 para. 8(1)**
- F9** Entry relating to Assessor of Public Undertakings (Scotland) Act 1934 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. IX** Group1.

#### Modifications etc. (not altering text)

- C2** The text of this entry in Sch. Pt. I, now spent, is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect the amendments or repeals that may have been made prior to 1.2.1991

#### Marginal Citations

- M1** 1860 c. 46.
- M2** 1919 c. 50.
- M3** 1898 c. 44.
- M4** 1972 c. 11.
- M5** 1910 c. 7.
- M6** 1919 c. 100.
- M7** 1926 c. 51.
- M8** 1962 c. 46.

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## PART II

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### Textual Amendments

**F10** S. 1 and Sch. Pt. II repealed by [Superannuation Act 1972 \(c. 11\)](#), s. 29, [Sch. 8](#)

**Status:**

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**Changes to legislation:**

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