



# Prisons (Scotland) Act 1877

## 1877 CHAPTER 53

### PART II

#### SUPPLEMENTAL PROVISIONS

##### *Status of Officers*

#### **43 Superannuation of officers and abolition of offices**

If at any time after the commencement of this Act it appears to the Treasury that any existing officer of an ordinary prison has been in the prison service for not less than twenty years, and is not less than sixty years of age, or that any existing officer of a prison has become incapable from confirmed sickness, age, or infirmity, or injury received in actual execution of his duty, of executing his office in person, and such sickness, age, infirmity, or injury is certified by a medical certificate, and there shall be a report of the Prison Commissioners testifying to his good conduct during his period of service under them, and recommending a grant to be made to him, the Treasury may grant to such officer, having regard to his length of prison service, an annuity, by way of superannuation allowance, not exceeding two thirds of his salary and emoluments, or a gratuity not exceeding the amount of his salary and emoluments for one year.

If any office in any ordinary prison to which this Act applies is abolished, or any officer is retired or removed, any existing officer of such prison who by reason of such abolition, retirement, or removal is deprived of any salary or emoluments, shall be dealt with in manner provided by the Superannuation Act, 1859, with respect to a person retiring or removed from the public service in consequence of the abolition of his office, or for the purpose of facilitating improvements in the organisation of the department to which he belongs.

" Prison service," for the purposes of this section, means, as respects the period before the commencement of this Act, service in a particular ordinary prison, or in the prisons of the same authority, transferred to the Secretary of State, and, as respects the period after the commencement of this Act, service in any such prison or in any other prison transferred to the Secretary of State under this Act.

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*Status: This is the original version (as it was originally enacted).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

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Any annuity by Way of superannuation allowance or gratuity granted under this section shall be apportioned between the period of service before the commencement of this Act and the period of service after the commencement of this Act; and so much of such annuity or allowance as is payable in respect of service before the commencement of this Act, regard being had to the amount of salary then paid, but without taking into account any number of years added to the officer's service on account of abolition of office, or for facilitating the organisation of the department, shall be paid, in such proportions as the Secretary of State shall determine, by the commissioners of supply of the county and the magistrates of the burgh or burghs at the commencement of this Act within the jurisdiction of the prison authority of the prison in which the officer to whom such annuity or allowance is granted was serving at the date of the commencement of this Act, out of the county general assessment or any municipal or police or other assessment of the burgh, as the case may be, and the residue shall be paid out of moneys provided by Parliament.