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STATUTORY INSTRUMENTS

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**1949 No. 584**

**PENSION SCHEMES**

**The Pension Schemes (Employees in Northern Ireland) Regulations, 1949**

<i>Made</i>	- - - -	<i>28th March 1949</i>
<i>Laid before Parliament</i>		<i>29th March 1949</i>
<i>Coming into Operation</i>		<i>31st March 1949</i>

The Minister of Transport in exercise of the powers conferred upon him by section 98 of the Transport Act, 1947, and of all other powers him enabling hereby makes the following Regulations:

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1.—(1) These Regulations shall come into operation on the 31st day of March, 1949, and may be cited as the Pension Schemes (Employees in Northern Ireland) Regulations, 1949.

(2) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“the Act” means the Transport Act, 1947;

“the Authority” means the Ulster Transport Authority established under the Transport Act (Northern Ireland), 1948;

“the Commission” means the British Transport Commission;

“the date of change” in relation to any person, means the date on which that person ceases to be employed as an officer or servant by the Commission (whether or not the employment is by virtue of the Act to be treated as employment by the Executive) and becomes employed as an officer or servant of the Authority;

“an Executive” means an Executive established by or under section 5 of the Act;

“the Society” means the Society known as “the London and North Western Railway Provident Society for providing Pensions for Widows and Orphans of the Salaried Staff”.

(3) The Interpretation Act, 1889, shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. These Regulations apply to—

(1) any pension scheme established by or under the London Midland and Scottish Railway (Superannuation Fund) Act, 1924, or the London and North Eastern Railway (Superannuation Fund) Act, 1939, or by the Society; and

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(2) any person employed as an officer or servant by the Authority who became so employed immediately upon ceasing to be employed as an officer or servant by the Commission (whether or not the employment was by virtue of the Act to be treated as employment by an Executive).

3. The subsequent provisions of these Regulations shall be terms of any pension scheme to which these Regulations apply and notwithstanding anything to the contrary therein contained, every such scheme and any statutory provisions relating thereto and all trust deeds, rules and other instruments made for the purposes thereof shall be construed accordingly.

4. Every person to whom these Regulations apply, being a person who was immediately before the date of change a member of a pension fund held for the purposes of a pension scheme to which these Regulations apply or a member of the Society, as the case may be, may, with the consent of the Committee in whom the management of the fund or society is vested and the approval of the Commission, continue to be a member thereof so long as he remains in the service of the Authority and to be treated as having been such on and after the date of change in all respects as if his service with the Authority were service with the Commission.

5. No such consent as is mentioned in the last preceding Regulation shall be given by the Committee in whom the management of a pension fund held for the purposes of any scheme to which these Regulations apply is vested and no such approval as is so mentioned shall be given by the Commission except upon the giving of an undertaking by the Authority to make such contributions and payments to the fund in respect of any period commencing with the date of change and ending with the date on which the person in relation to whom the undertaking is given ceases to be in the service of the Authority, as would, but for the provisions of these Regulations, have fallen to be made by the Commission if that person had been in the service of the Commission and not in that of the Authority.

6. The Commission shall not be liable to make any contribution or payment to the fund in respect of any person to whom these Regulations apply, being a person who continues to be a member of a pension fund held for the purposes of a pension scheme to which these Regulations apply or of the Society and to be treated as having been such on and after the date of change for any period commencing with the date of change and ending with the date on which he ceases to be in the service of the Authority.

Given under the Official Seal of the Minister of Transport this twenty-eighth day of March, 1949.

L.S.

*Alfred Barnes*  
Minister of Transport

## EXPLANATORY NOTE

These Regulations make provision whereby officers or servants of the British Transport Commission who are participants in pension schemes, may continue to be participants therein on becoming officers or servants of the Ulster Transport Authority.