

1966 No. 1556

TRANSPORT

PENSIONS AND COMPENSATION

The London Transport (Alteration of Wages Grades Pension Schemes) Order 1966

Made - - - - - 7th December 1966

Laid before Parliament 19th December 1966

Coming into Operation 31st December 1966

The Minister of Transport, in exercise of her powers under section 74 of the Transport Act 1962(a) and of all other enabling powers, hereby makes the following Order:—

Commencement, Citation and Interpretation

1.—(1) This Order shall come into operation on the 31st December 1966, and may be cited as the London Transport (Alteration of Wages Grades Pension Schemes) Order 1966.

(2) In this Order unless the context otherwise requires—

“the Board” means the London Transport Board;

“the New Fund” means the London Transport Pension Fund which is to be introduced on the 1st January 1967 by the Board with the consent of the Minister of Transport;

“the service” means whole time employment with the Board;

“term” in relation to a pension scheme to which this Order applies, includes any rule or provision of the scheme, or of any statutory provision relating to the scheme, or of any deed or other instrument made for the purposes of the scheme;

“the 1966 Scheme” means the London Transport (Male Wages Grades) Pension Scheme established by the London Transport (Male Wages Grades Pensions) Order 1966(b);

“the 1954 Scheme” means the British Transport Commission (Male Wages Grades) Pension Scheme established by the British Transport Commission (Male Wages Grades Pensions) Regulations 1954(c) (as that scheme now has effect subject to the provisions of any Orders made by the Minister of Transport under section 74 of the Transport Act 1962).

(3) The Interpretation Act 1889(d) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Application of Order

2.—(1) This Order shall apply to the 1966 Scheme and to the 1954 Scheme.

(2) A pension scheme to which this Order applies shall be construed and have effect as if the relevant provisions of this Order were terms of the scheme, any other term thereof, whether expressed or implied, to the contrary notwithstanding.

(a) 10 & 11 Eliz. 2. c. 46.

(c) S.I. 1954/898 (1954 I, p. 175).

(b) S.I. 1966/1164 (1966 III, p. 2789).

(d) 52 & 53 Vict. c. 63.

Alterations in the Terms of the 1966 Scheme

3.—(1) The terms of the 1966 Scheme which require persons to become members of Section A of that Scheme shall not apply to—

- (a) any person who enters or has entered the service on or after the 1st July 1966, or
- (b) any person who has entered the service before the 1st July 1966 but, because the age and length of service conditions of the 1966 Scheme have not been satisfied in relation to him, has not become a member of Section A of that scheme before the 1st January 1967 and who on or before the date on which those conditions are satisfied in relation to him is accepted for membership of the New Fund, or
- (c) any person who, being a member of a salaried staff superannuation fund or scheme, moves on or after the 1st January 1967 within the service to a grade or class not eligible for membership of such salaried staff fund or scheme and who on or before ceasing to contribute to that fund or scheme is accepted for membership of the New Fund,

and any such person shall be ineligible for membership of Section A of the 1966 Scheme.

(2) The terms of the 1966 Scheme which require persons to become members of Section B of that scheme shall not apply to—

- (a) any person who is rendered by paragraph (1) of this Article ineligible for membership of Section A of that scheme, or
- (b) any person who under the provisions of paragraph (3) of this Article has ceased to be a member of Section A of that scheme,

and any such person shall be ineligible for membership of Section B of the 1966 Scheme.

(3) Any person in the service who immediately before the 1st January 1967 is a member of the 1966 Scheme and who becomes a member of the New Fund on or after that date shall, on becoming such a member, cease to be a member of the 1966 Scheme and shall thereafter be ineligible for such membership.

(4) Where under the foregoing provisions of this Article a person who has a right of readmission to the 1966 Scheme becomes ineligible for membership thereof, that right of readmission shall terminate.

Alterations in the Terms of the 1954 Scheme

4.—(1) Any person who on entry into the service on or at any time after the 1st October 1966 is already a member of the 1954 Scheme or has a right of readmission thereto and who becomes a member of the New Fund on or after such entry shall on becoming such a member cease to be a member of the 1954 scheme or to have any right of readmission thereto (as the case may be) and shall so long as he is a member of the New Fund be ineligible for membership of any section of the 1954 Scheme.

(2) The terms of the 1954 Scheme which require persons to become members of Section B of that scheme shall not apply to any person who under the provisions of paragraph (1) of this Article is ineligible for membership of Section A of that scheme.

Consequential provisions as respects the 1966 and the 1954 Schemes

5.—(1) Where under the foregoing provisions of this Order a person ceases to be a member of a pension scheme to which this Order applies, such cessation shall be without prejudice to the obligation of that person to pay

any outstanding contributions to that scheme in respect of any period before such cessation and to the right of the Board to deduct such contributions from his emoluments.

(2) Where under the foregoing provisions of this Order a person ceases to be a member of a pension scheme to which this Order applies and in his application for membership of the New Fund he has agreed to forego, on becoming a member of the New Fund, any rights which he may have to benefit from that pension scheme, then those rights shall terminate with the cessation of his membership of that scheme.

Sealed with the Official Seal of the Minister of Transport the 7th
December 1966.

(L.S.)

Barbara Castle,
The Minister of Transport.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for the termination of membership of the London Transport (Male Wages Grades) Pension Scheme and the British Transport Commission (Male Wages Grades) Pension Scheme and of the rights to benefit under those Schemes of those members, in the service of the London Transport Board, who opt to join the London Transport Pension Fund. The Order also provides for the removal of the obligation for new entrants to the Board's service to join the London Transport (Male Wages Grades) Pension Scheme.