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## STATUTORY INSTRUMENTS

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# 1969 No. 1824

## The British Transport (Pensions of Employees) (No. 1) Order 1969

### PART III

#### ELIGIBILITY TO PARTICIPATE IN PENSION SCHEMES

##### **Preservation of eligibility**

**8.** Any person who, immediately before the 1st January 1970, is a present member of a pension scheme specified in Part 1 of the Schedule to this Order but who does not on or before that date become employed by the Executive or by a subsidiary of the Executive shall not in consequence of the transfer to the Executive of the rights, liabilities and functions of the London Board relating to that scheme provided for in Part IV of this Order cease to be eligible to be a member of that scheme.

##### **Persons having no pension rights under an established scheme and becoming employees of the Executive or the designated company before 1st January 1970**

**9.** Where a person who has no pension rights under an established scheme enters before the 1st January 1970 the employment of the Executive or the designated company after leaving the employment of the London Board or a subsidiary of that Board, he shall be eligible to become a member of that established scheme to the same extent and on the same basis as he would have been so eligible if, instead of entering the employment of the Executive or the designated company, he had been continuing in comparable employment of the London Board and if the transfer of the property, rights and liabilities of the London Board under section 16 of the Act of 1969 were not taking place.

##### **Certain transfers not to affect eligibility to join pension schemes**

**10.** Where by reason of a transfer under section 16, 21(3) or 22(2) of the Act of 1969 a person ceases to be employed by one publicly owned transport body and becomes employed by another such body, or the employer of a person ceases to be a subsidiary of one publicly owned transport body and becomes a subsidiary of another such body, and that person is not, immediately before the transfer, a member of an established scheme, then he shall, notwithstanding the transfer, be eligible to become a member of that established scheme to the same extent and on the same basis as he would have been so eligible if the transfer had not occurred.

##### **Designation of pension schemes for employees of subsidiaries of the Executive, if no other pension schemes are available**

**11.** Where on or after the 30th October 1969 a person enters employment by a subsidiary of the Executive (whether by reason of becoming an employee of that subsidiary or by reason of a change in the terms and conditions of his existing employment by that subsidiary) and apart from the provisions of this Article that person would not be eligible to become a member of a transport pension scheme appropriate to the employment which he is entering, then he shall be eligible to become

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a member of the London Transport (Administrative and Supervisory) Staff Superannuation Fund or the London Transport Pension Fund according as the terms and conditions of that employment would have created eligibility for membership of the Fund in question, if the employment entered had been that of the Executive.