



## CHAPTER x.

An Act to provide for reorganisation of the affairs of the Railway Clearing System Superannuation Fund for alteration of the benefits to which contributing members of the fund are entitled and the contributions payable to the fund by contributing members and bodies for admission of women to the fund for sectional division of the fund and for guarantees of solvency for amendment of the Railway Clearing System Superannuation Fund Acts 1873 to 1914 and rules made thereunder and for other purposes.

[2nd July 1941.]

**W**HEREAS by the Railway Clearing System Superannuation Fund Acts 1873 to 1914 provision is made for the establishment and carrying on of a fund (hereinafter called "the fund") for the payment of superannuation allowances to the salaried officers and clerks of a group of bodies therein referred to which group now consists of the Railway Clearing House the Railway Clearing Committee (Ireland) the Railway Companies Association certain railway companies and joint committees and the London Passenger Transport Board respectively controlling railways some of which are situate wholly or partly in England or England and Wales while others are situate wholly or partly in Scotland Northern Ireland or Eire:

And whereas the fund is vested in a body incorporated under the said Acts by the name of the Railway Clearing System Superannuation Fund Corporation and its affairs are managed by a committee for whose appointment provision is made by the said Acts and rules made thereunder:

And whereas provision is made by the said Acts and rules with respect to the terms and conditions upon which salaried officers and clerks of bodies comprised in the said group (hereinafter called "contributing bodies") become members of the fund and the benefits to be derived by them from the fund and the contributions to be made to the fund by them and by the contributing bodies:

And whereas there is a desire on the part of the members generally of the fund that the basis of benefits and contributions in connection with the fund should as far as possible be standardised on modern lines:

And whereas there is agreement between the parties concerned and it is expedient that statutory provision should be made for reorganisation of the affairs of the fund as in this Act provided:

And whereas the membership of the fund has hitherto been open only to salaried officers and clerks of the male sex and it is expedient that such membership should be extended as in this Act provided so as to permit of the admission to the fund of salaried officers and clerks of the female sex in the service of contributing bodies:

And whereas it is expedient that the other provisions contained in this Act should be made:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1.—(1) This Act may be cited as the Railway Clearing System Superannuation Fund Act 1941.

(2) The Railway Clearing System Superannuation Fund Acts 1873 to 1914 and this Act may be cited together as the Railway Clearing System Superannuation Fund Acts 1873 to 1941.

(3) This Act shall be deemed to have come into operation on the thirtieth day of June one thousand nine hundred and forty-one.

2. In this Act unless the context otherwise requires—

"The Act of 1873" means the Railway Clearing System Superannuation Fund Association Act 1873;

"The existing Acts" means the Railway Clearing System Superannuation Fund Acts 1873 to 1914;

Short and collective titles and commencement of Act.

Interpretation,  
36 & 37 Vict.  
c. lxxxviii.

- “The rules” means the rules for the time being made and in force under section 19 (Provision for making and altering the rules) of the Act of 1873;
- “The existing rules” means the rules as in force at the passing of this Act;
- “The corporation” means the Railway Clearing System Superannuation Fund Corporation;
- “The Committee” means the Committee for the time being appointed and acting under section 18 (Constitution of the Committee) of the Act of 1873;
- “The consulting actuaries” and “the secretary” mean respectively the consulting actuaries and the secretary of the corporation for the time being appointed and acting under the rules;
- “The fund” until the date of reorganisation shall mean the superannuation fund of the corporation established and carried on under the existing Acts and this Act and all investments and other assets from time to time comprised therein or belonging to the corporation and as from the date of reorganisation shall have the same meaning except in any case where it is used in relation to any particular person who is for the time being a member of the fund or any particular group of members of the fund in which case it shall mean the section of the fund to which that person or group is deemed to belong by virtue of the provisions of section 3 (Reorganisation of fund) of this Act;
- “The reorganisation” means the reorganisation of the fund effected by this Act;
- “The date of reorganisation” means the first day of July one thousand nine hundred and forty-one;
- “The section A male benefits” means the benefits set forth in the First Schedule to this Act;
- “Member” means member of the fund;
- “Pre-1913 member” means a member who became a contributing member before the first day of July one thousand nine hundred and thirteen;
- “1913-1941 member” means a member who became a contributing member after the thirtieth day of June one thousand nine hundred and thirteen and before the date of reorganisation;
- “Section A member” means a person (whether male or female) who on or after the date of reorganisation is admitted into the service of an assenting contributing body not having a superannuation fund estab-

lished for the benefit of its salaried officers and clerks and becomes a contributing member;

“ Present contributing member ” means a person who is a contributing member immediately before the date of reorganisation;

“ Present superannuated member ” means a member who immediately before the date of reorganisation is in receipt of or has become entitled to a superannuation allowance from the fund;

“ The option of declining ” means the option allowed by this Act to present contributing members to decline the benefits provided for under paragraphs (1) and (2) of the First Schedule to this Act;

“ Declining member ” means a present contributing member who exercises the option of declining;

“ Assenting member ” means a present contributing member who does not exercise the option of declining;

“ Contributing body ” means any one of the group of bodies (now consisting of the Railway Clearing House the Railway Clearing Committee (Ireland) the Railway Companies Association certain railway companies and joint committees and the London Passenger Transport Board) for the time being contributing to the fund in respect of salaried employees in their service in pursuance of the provisions of the existing Acts and the rules or this Act;

“ The dissenting contributing bodies ” means the contributing bodies which have refused application to themselves and their employees of the provisions of this Act other than—

(a) subsections (1) and (2) of section 3 (Reorganisation of fund);

(b) sections 19 (Alteration of certain provisions of Act) 20 (Power of making and altering rules not to be exercised inconsistently with Act) and 21 (Costs of Act); and

(c) any provisions relating expressly to the dissenting contributing bodies or their employees;

and whose names are set forth in the Fifth Schedule to this Act;

“ Assenting contributing bodies ” means contributing bodies other than the dissenting contributing bodies;

“ The service ” means in relation to any person the service of the contributing body by whom that person is employed;

“ Salaried officers and clerks ” means—

(a) officers and servants in the service (whether male or female) remunerated at a salary fixed at a rate per annum;

(b) persons in the supervisory grades of the service; and

(c) women and girl clerks in the service remunerated otherwise than at a salary fixed at a rate per annum;

“ Admission into the service ” and “ entry into the service ” respectively mean admission or entry (as the case may be) into the service as a salaried officer or clerk or transfer from the weekly wage class to the salaried class in the service and “ admit into the service ” and “ enter the service ” have corresponding meanings; and

“ Supplemental pension ” means a pension or allowance which at the date of reorganisation is payable by a contributing body to a member otherwise than under the existing Acts and the rules and which is supplemental or additional to any benefit which that member is entitled to receive out of the fund under the existing Acts and the rules.

3.—(1) As from the date of reorganisation the fund shall be divided into four sections which shall have the following titles and of which the groups of persons hereinafter mentioned in relation thereto shall be deemed respectively to be the members and each of which shall comprise all receipts and investments and other assets of the corporation relating to the members thereof and shall (to the exclusion of any other section) be charged with all expenses and liabilities of the corporation relating to those members (that is to say)—

Reorganisation  
of fund.

#### Section A.

Every person (whether male or female) who on or after the date of reorganisation is admitted into the service of an assenting contributing body not having a superannuation fund established for the benefit of its salaried officers and clerks and becomes a contributing member:

#### Section B.

(i) Every pre-1913 or 1913-1941 member who is in the service of an assenting contributing body immediately before the date of reorganisation;

- (ii) Every female person who immediately before the date of reorganisation is in the service of an assenting contributing body not having a superannuation fund established for the benefit of its salaried officers and clerks and becomes a contributing member; and
- (iii) Every present superannuated member who immediately before his retirement was in the service of an assenting contributing body:

## Section C.

- (i) Every 1913-1941 member who is in the service of a dissenting contributing body immediately before the date of reorganisation;
- (ii) Every male person who on or after the date of reorganisation enters the service of a dissenting contributing body not having a superannuation fund established for the benefit of its salaried officers and clerks and who was not immediately before the date of reorganisation in the service of an assenting contributing body; and
- (iii) Every present 1913-1941 superannuated member who immediately before his retirement was in the service of a dissenting contributing body.

## Section D.

- (i) Every pre-1913 member who is in the service of a dissenting contributing body immediately before the date of reorganisation; and
- (ii) Every present pre-1913 superannuated member who immediately before his retirement was in the service of a dissenting contributing body.

(2) (a) A valuation of the fund shall be made as at the day next preceding the date of reorganisation and subject to the provisions of this Act shall be made in the same manner and for the same purposes as a valuation under rule 40A of the existing rules and the said valuation shall have the further purpose of affording the necessary information for enabling effect to be given to the provisions of paragraph (b) of this subsection.

(b) All investments and other assets comprised in the fund or belonging to the corporation immediately before the date of reorganisation shall as from that date be apportioned and divided among the several sections of the fund in amounts to be ascertained as follows:—

- (i) the Committee shall be furnished with but shall not be bound to act upon the advice of the consulting actuaries. Each contributing body shall likewise be furnished with the advice of the consulting actuaries;

- (ii) the chairman of the Committee with the assistance of the Committee shall prepare and lay before the Committee a proposal for the apportionment and division of the fund. The dissenting contributing bodies shall be entitled to nominate two representatives to act in a consultative capacity at all meetings of the Committee during which the scheme is being prepared. A copy of this draft scheme as so prepared shall be supplied to each of the contributing bodies;
- (iii) each contributing body shall receive a copy of the proposal referred to and shall be entitled to dissent therefrom;
- (iv) if no contributing body or no member of the Committee dissents in writing within a time to be prescribed by the Committee to the chairman's proposal for the apportionment and division of the fund such agreed apportionment and division of the fund among the several sections of the fund shall at the expiration of such prescribed time become operative and shall be final and conclusive;
- (v) if any contributing body or any member of the Committee dissents in writing before the expiration of the prescribed time to the proposed apportionment and ~~division of the fund~~ then the apportionment and division shall be referred to the arbitration and determination of two persons (whether members of the Committee or not) one to be appointed by the members or member of the Committee approving of the proposed apportionment and division the other to be appointed by any contributing body or bodies or the members or member of the Committee disapproving of the proposed apportionment and division and (in case they shall not agree in making an award) to the umpirage of a person to be agreed upon between the said two arbitrators or (failing such agreement) to the umpirage of some competent person to be nominated by the President of the Institute of Actuaries. And this shall be deemed to be a submission to arbitration within the Arbitration Act 1889 or any statutory modification or re-enactment thereof for the time being in force the provisions whereof shall apply as far as practicable;
- (vi) where the arbitrators have differed they shall be respectively competent to give evidence before the umpire;
- (vii) as from the date of reorganisation each section of the fund shall be administered by the Committee as if it were a separate fund.

(3) As from the date of reorganisation such changes shall be made in the benefits and contributions in relation to the fund as are in this Act provided for in that behalf and the fund shall be open to the membership of female persons to the extent and upon the terms in this Act specified.

(4) (a) The solvency of section B of the fund shall be guaranteed by the assenting contributing bodies.

(b) For the purpose of implementing such guarantee each of the assenting contributing bodies shall pay into the fund over a period of sixty years from the date of reorganisation such amounts (if any) as the consulting actuaries shall following the valuation to be made as at the day next preceding the date of reorganisation certify to be the appropriate share of such contributing body in any annual sum which in the opinion of the consulting actuaries is sufficient and not more than sufficient in order to prevent the insolvency of section B of the fund and the consulting actuaries shall state in their certificate the dates on which the annual payments shall be made.

(c) If on the occasion of any subsequent valuation to that referred to in paragraph (b) of this subsection the consulting actuaries shall consider it necessary that the annual payments then being made by the assenting contributing bodies be increased or decreased they shall issue a certificate accordingly and the annual payments shall be so varied.

(d) If at or after the expiration of the said period of sixty years the consulting actuaries certify at a valuation that a liability has accrued under the guarantee which is not already provided for by payments to the fund under this subsection the assenting contributing bodies shall meet that liability in such manner as shall be determined by the Committee after considering any advice given by the consulting actuaries.

(5) Notwithstanding anything contained in the Railways Act 1921 or the London Passenger Transport Act 1933 or in any scheme made under either of those Acts and relating to any of the contributing bodies no officer clerk or servant of a contributing body shall be entitled to claim or to be paid compensation under either of the said Acts or any such scheme for any pecuniary loss which he may suffer by reason of any of the provisions of this Act.

4. Every person (whether male or female) who on or after the date of reorganisation is admitted into the service of an assenting contributing body not having a superannuation fund established for the benefit of its salaried officers and clerks and who at the date of such admission is under the age of forty-five years shall upon the said admission and upon the production of such medical certificates and other evidence as

11 & 12 Geo.  
 5. c. 55.  
 23 & 24 Geo.  
 5. c. 14.

Membership  
 of persons  
 (male and  
 female)  
 entering  
 salaried  
 service of  
 assenting



the Committee may require as to good health and freedom from infirmity of body or mind be entitled and required to become a contributing member.

contributing bodies after reorganisation.

5. Every female person who immediately before the date of reorganisation is—

Admission to membership of present female employees of assenting contributing bodies.

(a) in the service of an assenting contributing body not having a superannuation fund established for the benefit of its salaried officers and clerks; and

(b) a salaried officer or clerk; and

(c) not more than fifty years of age;

shall upon production of such medical certificates and other evidence as the Committee may require as to her good health and freedom from infirmity of body or mind be entitled to become a contributing member as from the date of reorganisation provided that she gives notice in writing to the secretary before the expiration of six months after the date of reorganisation of her desire so to become a member.

6. Every male section A member shall be entitled to receive from the fund the benefits set forth in the First Schedule to this Act (in this Act called "the section A male benefits") in place of the benefits provided for under the existing Acts and the rules.

Benefits for male employees of assenting contributing bodies becoming members after reorganisation.

7.—(1) Every male section A member shall subject to the provisions of subsection (2) of this section make contributions to the fund in accordance with the scale set forth in the Third Schedule to this Act in place of the contributions provided for under the existing Acts and the rules.

Contributions by male employees of assenting contributing bodies becoming members after reorganisation.

(2) The Committee shall from time to time if it is necessary in the opinion of the consulting actuaries for the purpose of securing the solvency of section A of the fund substitute in place of the scale set forth in the Third Schedule to this Act such other scale as they may think fit and as the consulting actuaries may certify to be reasonably sufficient and not more than reasonably sufficient for the said purpose when combined with the contributions of female section A members and the contributions of contributing bodies in respect of male and female section A members.

8.—(1) Every present contributing member who immediately before the date of reorganisation is in the service of an assenting contributing body shall be entitled as from the date of reorganisation to receive from the fund the section A male benefits in place of the benefits provided for under the existing Acts and the rules except that if he exercises in manner specified in this section an option to decline the benefits provided for under paragraphs (1) and (2) of the First Schedule to this

Present contributing members in service of assenting contributing bodies to be entitled to section A

male benefits  
except so far  
as they  
exercise  
option to  
decline.

Act he shall not be entitled to receive those benefits but in place thereof shall be entitled as from the date of reorganisation to receive from the fund the benefits provided for under the existing Acts and the rules which correspond to the benefits provided for under the said paragraphs (1) and (2) and he shall also be entitled to receive from the fund any supplemental pension to which he is entitled and which is made payable out of the fund under section 12 (Supplemental pensions to be paid out of fund) of this Act.

(2) Every such present contributing member as aforesaid who desires to exercise the option of declining shall notify the secretary in writing of such his desire at any time before the expiration of twelve months from the date of reorganisation unless he shall retire from the service at an earlier date in which case he shall so notify such desire before the date of his retirement from the service.

Contributions  
payable after  
reorganisation  
by present  
contributing  
members in  
service of  
assenting  
contributing  
bodies.

9. On and after the date of reorganisation every present contributing member who immediately before the date of reorganisation is in the service of an assenting contributing body (whether or not he exercises the option of declining) shall make contributions to the fund in accordance with the scale applicable to him set forth in the Fourth Schedule to this Act in place of the scale provided for under the existing Acts and the rules.

Benefits  
and contribu-  
tions of  
female  
employees of  
assenting  
contributing  
bodies.

10.—(1) Every female section A member shall be entitled to receive from the fund the same benefits and be liable to pay to the fund the same contributions as are for the time being respectively receivable or payable pursuant to this Act by a male section A member except that for the purpose of its application to a female section A member the First Schedule to this Act shall have effect as if—

(a) the expression " fifty-five years " were substituted for the expression " sixty years " wherever it occurs;

(b) for each of the tables contained respectively in the proviso to subparagraph (c) of paragraph (1) and in subparagraph (a) of paragraph (2) there were substituted the table set forth in the Second Schedule to this Act;

(c) the description of person mentioned in subparagraph (b) of paragraph (4) were one dependent relative who (if younger) is not more than ten years younger than the member; and

(d) each of the ages mentioned in subparagraph (g) of paragraph (4) were reduced by five years.

(2) Every female person who immediately before the date of reorganisation is in the service of an assenting contributing

body not having a superannuation fund established for the benefit of its salaried officers and clerks as a salaried officer or clerk and who becomes a contributing member shall be entitled to receive from the fund the same benefits and be liable to pay to the fund the same contributions as are for the time being respectively receivable or payable pursuant to this Act by a male contributing and assenting 1913-1941 member in the service of an assenting contributing body except that—

(a) for the purpose of its application to her the First Schedule to this Act shall have effect in the same manner as is provided under paragraphs (a) (b) (c) and (d) of subsection (1) of this section;

(b) if her age immediately before the date of reorganisation does not exceed forty-five years she may if she so desires have her membership ante-dated to any date not earlier than the date of her entering the service or the first day of January one thousand nine hundred and twenty-three whichever is the later on condition that she pays to the fund—

(i) back contributions on the same basis as would have applied to her under the existing Acts and the rules if she had been a male contributing 1913-1941 member from the date to which her membership is ante-dated until the date of reorganisation; and

(ii) compound interest at four per centum per annum upon each of such back contributions from the date at which it would have been payable if she had been a male contributing 1913-1941 member until the date of reorganisation; and

(c) if her age immediately before the date of reorganisation exceeds forty-five years her membership shall be ante-dated in the manner and subject to the condition aforesaid to the day next preceding the date of her attaining the age of forty-five years and may if she so desires be further ante-dated in the manner and subject to the condition aforesaid to any date not earlier than the date of her entering the service or the first day of January one thousand nine hundred and twenty-three whichever is the later.

11.—(1) Each assenting contributing body shall contribute to the fund each month in respect of every member in its service by whom any contributions are for the time being payable to the fund pursuant to this Act (including back contributions and the interest thereon payable under paragraph (b) or paragraph (c) of subsection (2) of section 10 (Benefits

Contributions  
by assenting  
contributing  
bodies.

and contributions of female employees of assenting contributing bodies) of this Act) a sum equal to the total of the contributions so payable by that member in that month.

(2) The contributions payable to the fund by a contributing body under subsection (1) of this section in respect of any member shall be in place of any contributions by such contributing body in respect of that member provided for under the existing Acts and the rules.

Supplemental pensions to be paid out of fund.

12. In the case of—

(a) any present superannuated member; and

(b) any declining member; and

(c) any present contributing member in the service of a dissenting contributing body;

who at the date of reorganisation is entitled to receive from a contributing body a supplemental pension there shall be paid out of the fund to such member from time to time all sums payable in respect of such supplemental pension as and when the same become due.

Supplemental pensions paid out of fund to be reimbursed by contributing bodies.

13. Each contributing body responsible for the payment of any supplemental pensions which are made payable out of the fund under paragraph (a) or paragraph (c) of section 12 (Supplemental pensions to be paid out of fund) of this Act shall reimburse to the fund each month the total amount (if any) of the sums payable out of the fund in that month to any members in respect of such supplemental pensions which those members are entitled to receive from that contributing body.

As to present superannuated members.

14. The benefits set out in the First Schedule to this Act shall not apply to present superannuated members and those members shall continue after the date of reorganisation to be entitled to the benefits provided for under the existing Acts and the existing rules.

As to dissenting contributing bodies and their employees.

15.—(1) Subject to the provisions of this section and any other provisions of this Act relating expressly to the dissenting contributing bodies or their employees and the provisions of sections 19 (Alteration of certain provisions of Act) 20 (Power of making and altering rules not to be exercised inconsistently with Act) and 21 (Costs of Act) and subsections (1) and (2) of section 3 (Reorganisation of fund) of this Act the dissenting contributing bodies and the persons from time to time in their service shall continue after the date of reorganisation to be subject to the provisions as to membership of the fund and as to benefits and contributions contained in the existing Acts and the rules and except as to the said provisions nothing in this Act contained shall apply to a dissenting contributing body

or to any person in its service unless and until the dissent of such contributing body is withdrawn in pursuance of the provisions of this section.

(2) At any time after the date of reorganisation the dissent of a dissenting contributing body may be withdrawn by notice in writing from such body served upon the secretary and agreed to by resolution of the Committee and taking effect from a date specified in such notice (in this section called "the specified date") not being earlier than three months after the date of such service.

(3) In the event of such withdrawal of dissent by a dissenting contributing body—

(a) (i) every male person who has been admitted on or after the date of reorganisation and before the specified date into the service of that body and who at the date of such admission was under the age of forty-five years shall as from the specified date in place of the benefits and contributions provided for under the existing Acts and the rules be entitled to receive from the fund the same benefits and be liable to pay to the fund the same contributions as are for the time being respectively receivable or payable pursuant to this Act by a male salaried officer or clerk of an assenting contributing body admitted into the service of such last-mentioned body on or after the date of reorganisation;

(ii) every female person who has been admitted on or after the date of reorganisation and before the specified date into the service of the dissenting contributing body so withdrawing dissent and who at the specified date is under the age of forty-five years shall as from the specified date; and

every person (whether male or female) who is admitted on or after the specified date into the service of that body and at the date of such admission is under the age of forty-five years shall as from the date of such admission;

be entitled and required upon the production of such medical and other evidence as the Committee may require as to good health and freedom from infirmity of body or mind to become a contributing member on the same terms as are by this Act provided with respect to salaried officers and clerks of an assenting contributing body admitted into the service of such last-mentioned body on or after the date of reorganisation and shall upon so becoming a contributing member be deemed to be a member of section A of the fund;

- (b) every male person who immediately before the specified date is a salaried officer or clerk in the service of the dissenting contributing body so withdrawing dissent and who was a salaried officer or clerk in the service of such dissenting contributing body and a contributing member immediately before the date of reorganisation and who if that body had been an assenting contributing body and he had been a contributing member immediately before the date of reorganisation would (through not exercising the option of declining) have become entitled as from the date of reorganisation to receive from the fund the section A male benefits in place of the benefits provided for under the existing Acts and the rules shall become entitled (in a similar manner) as from the specified date to receive from the fund the section A male benefits in place of the benefits provided for under the existing Acts and the rules;
- (c) every male person who immediately before the specified date is a salaried officer or clerk in the service of the dissenting contributing body so withdrawing dissent and who was a salaried officer or clerk in the service of such dissenting contributing body and a contributing member immediately before the date of reorganisation shall as from the specified date (whether or not he exercises the option of declining) become liable to make contributions to the fund in accordance with the scale applicable to him set forth in the Fourth Schedule to this Act in place of the scale provided for under the existing Acts and the rules and shall also pay to such contributing body any amount which may be apportioned to him under paragraph (g) of this subsection in respect of any payment required to be made by such contributing body to the fund under that paragraph for the period from the date of reorganisation to the specified date;
- (d) every female person who immediately before the specified date is a salaried officer or clerk in the service of the dissenting contributing body so withdrawing dissent and who was a salaried officer or clerk in the service of such dissenting contributing body immediately before the date of reorganisation and who if that body had been an assenting contributing body and she had been a salaried officer or clerk in the service of such body immediately before the date of reorganisation would (through complying with the provisions of this Act in that behalf) have become entitled to be a contributing member as from the date of reorganisation shall as

from the specified date become entitled to be a contributing member on the same terms as would have applied to her under this Act as from the date of reorganisation if she had been so in the service of an assenting contributing body and upon becoming a contributing member she shall be deemed to be a member of section B of the fund;

(e) as from the specified date each dissenting contributing body so withdrawing dissent shall contribute to the fund each month in respect of every member in its service by whom any contributions are for the time being payable to the fund pursuant to the provisions of this Act a sum equal to the total of the contributions so payable by that member in that month and the contributions payable to the fund by such contributing body under this paragraph shall be in place of any contributions by such contributing body in respect of that member provided for under the existing Acts and the rules;

(f) as from the specified date all those persons who immediately before the date of reorganisation were in the service of the dissenting contributing body so withdrawing dissent and who immediately before the specified date were deemed to be members of section C or section D of the fund shall as from the specified date be transferred to and deemed to be members of section B of the fund and all male persons who were admitted into the service of that body on or after the date of reorganisation ~~and before the specified date~~ and were under the age of forty-five years at the date of such admission and who immediately before the specified date were deemed to be members of section C of the fund shall as from the specified date be transferred to and deemed to be members of section A of the fund and such transfer of assets from one section of the fund to another as the consulting actuaries shall certify to be appropriate to the circumstances shall be made;

(g) as from the specified date each dissenting contributing body so withdrawing dissent shall for the purposes of subsection (4) of section 3 (Reorganisation of fund) of this Act be deemed to be an assenting contributing body and in addition to any payments which it may thus be required from time to time after the specified date to make to the fund under that subsection shall forthwith after the specified date make to the fund such similar payment or payments (if any) as the consulting actuaries shall certify to be the appropriate

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share of that body in any sum which has been required as mentioned in that subsection during the period from the date of reorganisation to the specified date. Any such payment as last aforesaid by that body shall be apportioned between that body and members in its service in such manner as may be agreed between that body and those members or as failing such agreement may be certified by the consulting actuaries; and

(h) the provisions of the following sections of this Act:—

12 (Supplemental pensions to be paid out of fund);

13 (Supplemental pensions paid out of fund to be reimbursed by contributing bodies);

14 (As to present superannuated members);

17 (Commutation of superannuation allowances);  
and

18 (Membership after salary is stopped in consequence of ill-health);

shall as from the specified date apply with respect to the dissenting contributing body so withdrawing dissent and to the members employed by such body in the same way as they apply with respect to an assenting contributing body and the members employed by that body subject to the substitution of the specified date for the date of reorganisation.

Salary may include emoluments.

16. For the purpose of ascertaining the amounts of any contributions (including back contributions) which pursuant to this Act are payable by any member or payable in respect of any member by the contributing body by whom that member is employed or any benefits to which any member is entitled under this Act the salary of that member may with the assent of that contributing body the Committee and that member be deemed to include such amount as in the opinion of the Committee represents the value of any benefit allowed to that member by way of board lodging commission or other special remuneration.

Commutation of superannuation allowances.

17.—(1) On retirement of any member from the service the Committee may with the assent of the contributing body by whom he is employed agree with him to convert any capital sum to which he is entitled pursuant to this Act into a supplementary annuity or in exceptional cases and having regard to the state of health or other circumstances of the member to commute the whole or part of any annuity to which he is entitled pursuant to this Act into a capital sum the basis for conversion or commutation in each case to be decided by the consulting actuaries.



(2) There shall be deducted from any capital sum paid under this section an amount equal to any amount of income tax payable by the Committee of the fund in respect of that sum under or by virtue of section 32 of the Finance Act 1921 as amended by any subsequent enactment.

11 & 12 Geo.  
5. c. 32.

(3) No application shall be made to Parliament by or on behalf of the corporation for an Act altering the provisions of this section unless written notice of the intention to make such application has first been given to the Commissioners of Inland Revenue.

18. Any contributing member who contributed to the fund pursuant to the provisions of this Act and the payment of whose salary shall be stopped in consequence of ill-health shall be entitled so long as his name remains upon the books of the contributing body by whom he is employed but not in any case for a longer period than two years to continue his membership provided that the same monthly contributions be paid to the fund as were paid by and in respect of such member prior to his salary being stopped. After the said period he shall be dealt with under paragraph (2) or paragraph (3) of the First Schedule to this Act as the case may require.

Membership after salary is stopped in consequence of ill-health.

19.—(1) Any provision contained in the First Second Third or Fourth Schedule to this Act or in section 10 (Benefits and contributions of female employees of assenting contributing bodies) of this Act may at any time be altered by special resolution passed confirmed and approved in manner provided by the rules.

Alteration of certain provisions of Act.

(2) At the expense of the fund a printed copy of every such alteration shall be supplied by the secretary free of charge to any interested person demanding the same and shall be distributed free of charge to the members and such other persons (if any) as the Committee may think fit.

20. The power of making rules contained in section 19 (Provision for making and altering the rules) of the Act of 1873 and the power of altering such rules contained in the rules shall not be exercised in any manner inconsistent with the provisions of this Act or so as to cause the main purpose of the fund to cease to be that of the provision of superannuation allowances for salaried officers and clerks on retirement from the service.

Power of making and altering rules not to be exercised inconsistently with Act.

21. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Committee out of the fund and charged against sections A and B of the fund respectively in such proportions as the Committee may think fit.

Costs of Act.

The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

THE SECTION A MALE BENEFITS.

(I) SUPERANNUATION ALLOWANCES.

(a) Every person who is a male contributing section A member and who having been a member for ten years or upwards attains the age of sixty years shall on retiring from the service cease to be a contributing member and become a superannuated member and shall be entitled to receive by way of superannuation allowance a capital sum and an annuity for life.

(b) The said capital sum shall be a sum equal to one-fortieth part of the annual salary of which the member was in receipt at the date of his retirement multiplied by the number of completed years during which he has been a contributing member but not exceeding forty years in all.

(c) The said annuity shall be an annual sum equal to the aggregate of—

(i) One one-hundred-and-twentieth part of the average annual salary of which he shall have been in receipt throughout the whole period of his contributing membership if not exceeding forty years and throughout the last forty years of his contributing membership if he has been a contributing member for more than forty years multiplied by the number of completed years during which he has been a contributing member but not exceeding forty years in all; and

(ii) One one-hundred-and-twentieth part of the average annual salary of which he shall have been in receipt during the period of seven years of his contributing membership immediately prior to the date of his retirement multiplied by the number of completed years during which he shall have been a contributing member but not exceeding forty years in all:

Provided that such annuity shall in no case be less than the sum shown by the following scale:—

Completed years of contributing membership.	Minimum amount per annum of annuity.	
	If salary at date of retirement is £200 per annum or over.	If salary at date of retirement is less than £200 per annum.
26 or over	£ 120	£ 100
25	116	98
24	112	96
23	108	94
22	104	92
21	100	90
20	96	88
19	92	86
18	88	84
17	84	82
16	80	80
10 to 15	78	78

(2) INCAPACITY AFTER TEN YEARS' MEMBERSHIP.

1ST SCH.  
 —cont.

(a) Every person who is a male contributing section A member and who having been a member for ten years or upwards retires from the service before attaining the age of sixty years in consequence of incapacity to perform his duties arising from accident or mental or physical infirmity not resulting from his own misconduct and who satisfies the Committee with regard to such incapacity by production of a certificate from the medical officer of the corporation or gives such other proof as the Committee shall require of his having become so incapacitated shall on such retirement cease to be a contributing member and become a superannuated member and shall be entitled to receive by way of superannuation allowance a capital sum and an annuity for life calculated on the same basis as is provided in paragraph (1) of this schedule except that the minimum amount per annum of the annuity shall be in accordance with the following scale instead of the scale set forth in that paragraph:—

Completed years of contributing membership.	Minimum amount per annum of annuity.
26 or over	£ 100
25	97
24	94
23	91
22	88
21	85
20	82
19	79
18	76
17	74
16	72
10 to 15	70

(b) While any such person is under the age of sixty years—

(i) the Committee may at any time require him to furnish such evidence as they shall deem satisfactory of his continued incapacity and of the amount of his earnings (if any) and if he shall not furnish such evidence they may vary suspend or revoke his annuity and if they revoke the same may at any time cancel such revocation;

(ii) if he recovers sufficiently to be able to earn an income the Committee subject as hereinafter provided may from time to time vary or suspend or may revoke his annuity as they may think the circumstances justify and if they revoke the same may at any time cancel such revocation; and

(iii) if he recovers sufficiently to return and does return to the service the Committee may deal with his case in such manner as they shall deem just and reasonable taking all the circumstances into consideration.

(c) If any such person's annuity has been varied suspended or revoked under subdivision (i) or (ii) of subparagraph (b) of this paragraph he shall on attaining the age of sixty years be

1ST SCH.  
—cont.

entitled to an annuity for life calculated in accordance with subparagraph (a) of this paragraph whether his incapacity continues or not and whether or not he is earning an income.

(3) INCAPACITY BEFORE TEN YEARS' MEMBERSHIP.

(a) Every person who is a male contributing section A member and who not having been a member for ten years retires from the service in consequence of incapacity to perform his duties arising from accident or mental or physical infirmity not resulting from his own misconduct and who satisfies the Committee with regard to such incapacity by production of a certificate from the medical officer of the corporation or gives such other proof as the Committee shall require of his having become so incapacitated shall on such retirement cease to be a contributing member and become a superannuated member and shall be entitled to receive by way of superannuation allowance an annuity for life of twenty pounds per annum.

(b) While any such person is under the age of sixty years—

(i) the Committee may at any time require him to furnish such evidence as they shall deem satisfactory of his continued incapacity and of the amount of his earnings (if any) and if he shall not furnish such evidence they may vary suspend or revoke his annuity and if they revoke the same may at any time cancel such revocation;

(ii) if he recovers sufficiently to be able to earn an income the Committee subject as hereinafter provided may from time to time vary or suspend or may revoke his annuity as they may think the circumstances justify and if they revoke the same may at any time cancel such revocation; and

(iii) if he recovers sufficiently to return and does return to the service the Committee may deal with his case in such manner as they shall deem just and reasonable taking all the circumstances into consideration.

(c) If any such person's annuity has been varied suspended or revoked under subdivision (i) or (ii) of subparagraph (b) of this paragraph he shall on attaining the age of sixty years be entitled to an annuity for life in accordance with subparagraph (a) of this paragraph whether his incapacity continues or not and whether or not he is earning an income.

(4) JOINT ANNUITIES.

(a) Subject as hereinafter provided any male section A member shall have the option of electing to convert the annuity to which he is entitled upon his becoming a superannuated member under paragraph (1) of this schedule at the rate therein provided (hereinafter referred to as the "normal pension") or any part thereof into such a joint annuity as is specified in subparagraph (c) of this paragraph payable during the joint lives of himself and a person (hereinafter called "the joint annuitant") of the description mentioned in subparagraph (b) of this paragraph and during the life of the survivor of them.

(b) The description of person referred to in subparagraph (a) of this paragraph is as follows:—

(i) in the case of a male section A member having a wife (other than a divorced wife) alive the member's wife;

(ii) in the case of a male section A member not having a wife (other than a divorced wife) alive one dependent relative who (if younger) is not more than fifteen years younger than the member. 1ST SCH.  
—cont.

(c) The joint annuity into which the normal pension may be converted as mentioned in subparagraph (a) of this paragraph is—

(i) in the case where the joint annuitant is the wife of the member a joint annuity in accordance with subparagraph (d) of this paragraph; and

(ii) in the case where the joint annuitant is not the wife but a dependent relative of the member a joint annuity of such amount or amounts as may be determined by the Committee with the advice of the consulting actuaries.

(d) Scales for conversion of a normal pension into an annuity payable during the joint lives of the member and his wife and the life of the survivor—

SCALE A.—ANNUITY PAYABLE TO RETIRED MEMBER.

Age of wife (on last birthday) at date of member's retirement.	For each £100 of normal pension the following annuity will be payable to the retired member and so in proportion for any part of £100.					
	Age (on last birthday) of member at date of retirement.					
	60 Years	61 Years	62 Years	63 Years	64 Years	65 Years
Years	£ s.	£ s.	£ s.	£ s.	£ s.	£ s.
45	84 0	—	—	—	—	—
46	84 6	83 8	—	—	—	—
47	84 14	83 16	82 16	—	—	—
48	85 2	84 4	83 4	82 2	—	—
49	85 10	84 12	83 12	82 12	81 10	—
50	85 18	85 0	84 0	83 0	82 0	80 18
51	86 8	85 10	84 10	83 10	82 8	81 6
52	86 16	85 18	85 0	84 0	82 18	81 16
53	87 4	86 8	85 10	84 10	83 8	82 6
54	87 14	86 16	85 18	85 0	83 18	82 16
55	88 2	87 6	86 8	85 10	84 10	83 8
56	88 12	87 16	86 18	86 0	85 0	84 0
57	89 2	88 6	87 8	86 10	85 10	84 10
58	89 12	88 16	87 18	87 0	86 2	85 2
59	90 2	89 6	88 10	87 12	86 14	85 14
60	90 10	89 16	89 0	88 4	87 6	86 6
61	91 0	90 6	89 10	88 14	87 18	86 18
62	91 10	90 16	90 2	89 6	88 10	87 12
63	92 0	91 6	90 12	89 18	89 2	88 4
64	92 8	91 16	91 2	90 8	89 12	88 16
65	92 18	92 6	91 14	91 0	90 4	89 8
66	—	92 16	92 4	91 10	90 16	90 0
67	—	—	92 14	92 2	91 8	90 12
68	—	—	—	92 12	91 18	91 4
69	—	—	—	—	92 10	91 16
70	—	—	—	—	—	92 8

1ST SCH.  
—cont.

If the member's age at retirement is sixty-six years or more or the age of his wife is outside the range of scale A the joint annuity payable to the retired member shall be determined by the consulting actuaries:

SCALE B.—ANNUITY PAYABLE TO MEMBER'S WIDOW.

One-third of the annuity calculated in accordance with scale A will be payable to the retired member's widow during her life commencing on the day following that on which the retired member dies.

(e) If the joint annuitant dies before the member the annuity payable to the member (calculated in accordance with scale A or determined by the Committee under subparagraph (c) (ii) of this paragraph as the case may be) will continue unaltered in amount.

(f) The minimum amount of a member's normal pension which may be converted into such annuity for joint lives and the life of the survivor shall be the whole of such normal pension if not exceeding £120 and £120 of such normal pension if the amount thereof exceeds £120. Further any part of a normal pension which is so converted shall be an even multiple of a pound and if the unconverted portion of the normal pension amounts to less than £10 the whole normal pension shall be deemed to be converted.

(g) The said option shall be exerciseable only after the member has attained the age of fifty-four years and six months and shall only be exerciseable as of right and without medical examination before the member attains the age of fifty-five years.

(h) Any member who has not exercised the said option within the time limited by subparagraph (g) of this paragraph may at any time within the three months immediately before the date of his retirement apply to the Committee for leave to exercise the said option notwithstanding that the time so limited for his exercising the same has expired. Before giving such leave the Committee shall require the member to submit himself for medical examination but subject thereto may give or withhold such leave in their discretion. An application under this paragraph for leave to exercise the said option shall be irrevocable and if leave is given the application shall operate as an exercise of the option by the member making the application.

(i) Every exercise by a member of the said option shall be irrevocable. Provided that in each of the following events namely (i) if the joint annuitant dies before the member has become a superannuated member under paragraph (1) of this schedule or (ii) if the member is under the provisions of paragraph (2) or paragraph (3) of this schedule superannuated before attaining the retiring age under paragraph (1) of this schedule the exercise of the said option by him shall automatically be revoked. And provided also that the Committee may in their discretion on the written request of a member who has exercised the said option made at any time before or within one month after his retirement permit the revocation by such member of his exercise of the said option if in their opinion the circumstances in which the request is made are of such an exceptional character as to justify the revocation.

(j) Upon the exercise of the said option by any member being revoked either automatically or with the permission of the Committee the member shall be remitted to the rights to which he would have been entitled under paragraph (1) of this schedule if the option had never been exercised by him.

(k) Every exercise of the said option as of right and every application for leave to exercise the said option shall be in writing signed by the member exercising or applying for leave to exercise the same addressed to the Committee and delivered to the secretary accompanied by a certificate of the birth of the joint annuitant and where the joint annuitant is the member's wife a certificate of the marriage of the member and his wife or by such other evidence thereof as the Committee may in their discretion think fit to accept.

(l) The Committee may at any time in their discretion request the consulting actuaries to report upon the operation of the scales set out in subparagraph (d) of this paragraph.

(5) DEATH BEFORE SUPERANNUATION.

If any male contributing section A member dies before being superannuated there shall be paid out of the fund to his representatives a sum equal to one-thirtieth of the annual salary of which he was in receipt at the date of his death multiplied by the number of completed years during which he shall have been a contributing member or a sum equal to one-half of such annual salary whichever may be the greater Provided that the amount payable shall not be less than the total amount of the contributions of such member to the fund together with a sum equal to two-and-a-half per centum upon the total salary upon which he has contributed to the fund.

(6) DEATH AFTER SUPERANNUATION.

Upon the death of any male section A member after being superannuated his representatives shall be entitled or (in the case of such a member whose normal pension or part of whose normal pension has been converted into a joint annuity pursuant to paragraph (4) of this schedule) upon the death of the member and the joint annuitant the representative of the survivor of them shall be entitled to receive from the fund an amount equal to the sum which would have been payable under paragraph (5) of this schedule if the member had died on the day before that on which he became a superannuated member subject in each case to deduction from the sum so payable of the amount already paid as superannuation allowance on account of the member (including any amount paid to the member or the joint annuitant in respect of a joint annuity under paragraph (4) of this schedule).

(7) RESIGNATION ON DISMISSAL.

Any male section A member who before becoming entitled to any superannuation allowance under this schedule retires from the service voluntarily or is dismissed from the service shall cease to be a member and shall be entitled to receive from the fund the whole amount of his

4TH SCH.  
—cont.

(2) For each 1913-1941 member to whom this schedule applies.

Age next birthday on joining fund.	SCALE.	Percentage of salary.
19 or under		4
20 to 24		4½
25 to 29		5
30 to 33		5½
34 to 37		6
38 to 40		6½
41 to 43		7
44 45		7½

## FIFTH SCHEDULE.

## DISSENTING CONTRIBUTING BODIES.

- The Railway Clearing Committee (Ireland).
- The Great Northern Railway Company (Ireland).
- The Great Southern Railways Company.
- The Belfast and County Down Railway Company.
- The County Donegal Railways Joint Committee.

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