

SCHEDULE 1

Article 2(1).

RELEVANT TRANSACTIONS FOR PENSION PROTECTION

1. The contract made between London Underground Ltd, Seeboard Powerlink Ltd and Power Asset Development Company Ltd on 13th August 1998.
2. The contract made between London Regional Transport and Transaction Systems Ltd on 13th August 1998.
3. The contract made between London Underground Ltd and Citylink Telecommunications Ltd on 19th November 1999.
4. The transfer by London Underground Ltd to a private sector company of shares in—
 - (a) Infraco JNP Limited,
 - (b) Infraco BCV Limited, or
 - (c) Infraco Sub-Surface Limited.
- 5.—(1) Any contract made during the initial period for the provision of any of the following services to London Underground Ltd, being a contract which transfers rights and liabilities under a contract of employment.
 - (2) The services are—
 - (a) services required in connection with the development and management of commercial property;
 - (b) services required in connection with automated retail vending;
 - (c) the gathering, processing or dissemination of information required in connection with engineering or other projects.
 - (3) In this paragraph “the initial period” means the period beginning with the date on which this Order is made and ending with 31st March 2002.

SCHEDULE 2

Article 4(3).

SPECIFIED ACTIVITIES (PERSONS “EMPLOYED IN THE LONDON UNDERGROUND RAILWAY INDUSTRY”)

1. The provision, operation, maintenance, renewal or improvement of the systems for generating and distributing electricity for the London Underground (including emergency power supplies).
- 2.—(1) The issue, checking or collection of tickets (or of any device used instead of a ticket and for a similar purpose) for London transport services, and any activity connected with such issue, checking or collection, including—
 - (a) the provision or maintenance of ticket machines at London Underground stations (whether for use by the public generally or for persons issuing the tickets to the public);
 - (b) the installation, maintenance, repair or improvement of automated gates at London Underground stations;
 - (c) the provision or maintenance of ticket machines—
 - (i) used by conductors on vehicles used for services which are part of the London bus network; or
 - (ii) designed for the driver to operate without a conductor on such vehicles;

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- (d) the provision or maintenance of hand-held ticket validation devices designed for use by inspectors;
 - (e) the provision of devices to be used instead of tickets and, in particular, devices carrying information electronically;
 - (f) the provision or maintenance of electronic machines for use by agents providing tickets;
 - (g) the gathering, processing or dissemination of information in connection with any activity within subparagraphs (a) to (f).
- (2) For this purpose—
- “the London bus network” is to be construed in accordance with section 181 of the Act; and
- “London transport services” means services provided or secured by London Transport, Transport for London or any subsidiary of London Transport or Transport for London.
3. Any activity involved in or connected with providing or maintaining integrated radio and other communications services covering the London Underground network or joining that network with public services required for use in emergencies.
4. Any activity involved in or connected with an activity performed in pursuance of an agreement which is a public-private partnership agreement for the purposes of Chapter VII of Part IV of the Act.
- 5.—(1) The management of land in which London Transport, Transport for London or any subsidiary or successor of London Transport or Transport for London has an interest.
- (2) The provision of advice concerning such land or land in which London Transport, Transport for London or a subsidiary of either of them is proposing to acquire an interest.
- (3) The acquisition, disposal, refurbishment, development or improvement of property for London Transport, Transport for London or a subsidiary of either of them.
- (4) The provision of financial, administrative, legal or any other services in connection with any activity within this paragraph.
6. Any activity connected with providing London Underground Ltd with services connected with automated retail vending.
7. Any activity involved in or connected with providing—
- (a) London Underground Ltd,
 - (b) Infraco JNP Limited,
 - (c) Infraco BCV Limited, or
 - (d) Infraco Sub-Surface Limited,
- with services connected with the gathering, processing or dissemination of information required in connection with engineering or other projects.

SCHEDULE 3

Article 9.

AMENDMENTS OF LONDON TRANSPORT (MALE WAGES GRADES) PENSION SCHEME'S RULES

1. In rule 1 (interpretation)—
- (a) at the end of the definition of “pension” there are added the words “or on a member’s death”;
 - (b) the following definition is inserted at the appropriate place—

“Scheme year” means a year beginning on 1st January and ending on the following 31st December”.

2. In rule 12 (benefits) after the words “supplementary pensions” there are inserted the words “dependants' and eligible children’s pensions”.
3. After rule 16A there is inserted—

“16B Dependants' and eligible children’s pensions

(1) If a pensioner member or deferred member of Section A or Section B dies, a pension shall be payable to or in respect of his dependants and eligible children at a rate equivalent—

- (a) in the case of dependants, to equal shares of half of the member’s pension,
- (b) in the case of eligible children where there is no dependant, to equal shares of the member’s pension (but not in the case of any child more than half of that pension), and
- (c) in the case of eligible children where there is a dependant, to equal shares of half of the member’s pension (but not in the case of any child more than a quarter of that pension).

(2) For the purposes of this rule—

“deferred member” means a member who is not receiving a pension at the date of his death;

“dependant” means a person (other than an eligible child) who was in the opinion of the Management Committee wholly or mainly dependent on the member for support and the maintenance of his accustomed standard of living at the date of the member’s death and became so before the member’s contributory membership ceased;

“eligible child” means a person who meets one of the conditions in paragraph (3) and is—

- (a) a child, adopted child or step-child of the member, or a person in respect of whom the member acted as a parent, and a person who in the opinion of the Management Committee was wholly or mainly dependent on the member for support and the maintenance of his accustomed standard of living, both when the member’s contributory membership ceased and at the date of the member’s death; or
- (b) a child born before the expiry of the period of 12 months beginning with the date on which the member’s contributory membership ceased who in the opinion of the Management Committee would have fallen within sub-paragraph (a) above if born before that date;

“the member’s pension” means—

- (i) in the case of a pensioner member, the pension payable to the member at the date of his death, and
- (ii) in the case of a deferred member, the pension that would have been payable to the member at minimum pensionable age if he had attained that age on the date of his death;

“pensioner member” means a member who is receiving a pension at the date of his death.

(3) The conditions are that the person—

- (a) has not attained the age of 18,

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- (b) has not attained the age of 25 and is in full-time education or professional or vocational training, or
- (c) has attained 18 but in the opinion of the Management Committee—
 - (i) is mentally or physically incapacitated and was so before he attained that age or at the date when the member’s contributory membership ceased, and
 - (ii) is incapable of earning an income in employment.

16C Pension increases

(1) The rate of every pension (including a deferred or contingent pension which has not yet commenced) shall be increased annually with effect from 1st April in the Scheme year by the Indexation Factor.

(2) For this purpose the rate of a pension includes any increase previously given under this rule or otherwise.

(3) In this rule—

“Index” means the United Kingdom General Index of Retail Prices (for all items) published by the Central Statistical Office (January 1987 = 100), or any index which replaces that Index and the Actuary considers to be comparable; and

the “Indexation Factor” for a Scheme year is the amount (expressed as a percentage to one decimal place) by which the Index for the previous September exceeds the Index for the September before that.”

SCHEDULE 4

Article 11.

AMENDMENTS OF LRT PENSION FUND'S TRUST DEED AND RULES

Amendment of Trust Deed

1. For clause 4 there is substituted—

“4. Purpose of Scheme

(1) The purpose of the Scheme is the provision of retirement pensions and other benefits for and in respect of such of the following persons as are or become eligible to participate in the Scheme in accordance with the provisions and regulations governing the Scheme set out in this Deed and in the Rules.

(2) Those persons are—

- (a) the employees and former employees of the Principal Employer and any other Participating Employer or former Participating Employer, and
- (b) the members of the Boards of the Principal Employer and Transport for London.”.

Amendments of Rules

2. In rule 2A (definitions)—

(a) the following definition is inserted at the appropriate place—

““London Underground Railway Industry Employer” means an employer of persons who—

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- (i) are to be regarded as employed in the London underground railway industry for the purposes of paragraph 3 of Schedule 32 to the Greater London Authority Act 1999, or
 - (ii) have remained in continuous employment (within the meaning given by Chapter I of Part IV of the Employment Rights Act 1996) since they ceased to be so regarded”, and
- (b) in the definition of “Participating Employer”—
- (i) after the words “the Principal Employer” there are inserted the words “Transport for London”, and
 - (ii) for the words “Associated Company” there are substituted the words “person or body”.

3.—(1) For rule 2B(a)(i) there is substituted—

“2B Participation by other employers

- (a) (i) The Principal Employer may, subject to the consent of the Trustees, admit to participation in the Scheme each—
- (I) Associated Company, or
 - (II) other London Underground Railway Industry Employer, or
 - (III) subsidiary of Transport for London,

which enters into a Deed under which it covenants to observe and be bound by the provisions of the Trust Deed and Rules applicable to it and to its employees who are or become Members, subject to such variations and with effect from such date as may be specified in the Deed.”.

(2) In rule 2B(a)(ii) (notification of Employer’s Contribution) for the words “the Associated Company” there are substituted the words “any person or body admitted to participation under this rule”.

(3) In rule 2B(b)(i) (cessation of participation) after the words “Associated Company” there are inserted the words “or other London Underground Railway Industry Employer or a subsidiary of Transport for London”.