

1962 No. 2758

TRANSPORT

PENSIONS

The British Transport Reorganisation (Pensions of Employees) (No. 3) Order 1962*Made* - - - - - 18th December 1962*Laid before Parliament* 28th December 1962*Coming into Operation* 31st December 1962

The Minister of Transport, in exercise of his powers under sections 74 and 75 of, and under paragraphs 14 (1) and 14 (2) (b) of Schedule 7 to, 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 1962.

(2) This Order may be cited as the British Transport Reorganisation (Pensions of Employees) (No. 3) Order 1962.

(3) In this Order, unless the context otherwise requires—

“the Act” means the Transport Act 1962 ;

“beneficiary”, in relation to an existing scheme, means a person who has pension rights thereunder by virtue of the pensionable service of a member who has died or whose pension rights under the scheme have otherwise terminated ;

“the Boards” means the following bodies, namely :—

the British Railways Board (in this Order referred to as the “Railways Board”),

the London Transport Board (in this Order referred to as the “London Board”),

the British Transport Docks Board (in this Order referred to as the “Docks Board”), and

the British Waterways Board,

and each of these bodies is referred to separately in this Order as a “Board” ;

“the Commission” means the British Transport Commission ;

“existing scheme” means any pension scheme which exists immediately before the vesting date and in relation to which the Commission then has any rights, liabilities or functions ;

“the Holding Company” means the Transport Holding Company established by the Act ;

“member”, in relation to an existing scheme, means a person who has pension rights thereunder by virtue of his pensionable service, whether or not he is a participant therein ;

“the Minister” means the Minister of Transport;

“nationalised transport body” means any of the following:—

- (a) a Board,
- (b) the Holding Company,
- (c) a subsidiary of a Board or of the Holding Company,
- (d) (in respect of any period before the vesting date) a body which on the vesting date becomes a subsidiary of a Board or of the Holding Company;

“past member”, in relation to an existing scheme, means a member whose pensionable service has ceased;

“pensionable service” means service in respect of which pension rights accrue or have accrued under an existing scheme;

“predecessor body” means any body or person whose undertaking, or part of whose undertaking, vested in the Commission under, or by virtue of, the Transport Act 1947(a) either directly or by reason of any previous acquisition by, or amalgamation with, the undertaking of any other body or person whose undertaking, or part of whose undertaking, so vested, and “transferred undertaking”, in relation to a predecessor body, means the undertaking, or the part of the undertaking, of that body, which has so vested;

“present member”, in relation to an existing scheme, means a member whose pensionable service has not ceased;

“the Railway Clearing System Superannuation Fund Scheme” means the pension scheme established under, and in accordance with, the Railway Clearing System Superannuation Fund Acts 1873 to 1959(b), the rules of the Railway Clearing System Superannuation Fund, and the Railway Clearing House Scheme Order 1954(c);

“responsible employing body” means—

(a) for a present member of an existing scheme, the nationalised transport body employing him,

(b) for a past member of an existing scheme—

(i) where the past member's pensionable service includes employment by a nationalised transport body, the nationalised transport body last employing him,

(ii) where the past member's pensionable service does not include employment by a nationalised transport body, but does include employment by the Commission, the nationalised transport body which would have become his employer on the vesting date, had his employment by the Commission continued from the date of its termination until the vesting date,

(iii) where the past member's pensionable service does not include employment by a nationalised transport body or by the Commission but does include employment by a predecessor body (being employment in connection with the transferred undertaking of that body), the nationalised transport body to which is transferred by virtue of the provisions of the Act that part of the Commission's undertaking which represents the transferred undertaking of the predecessor body last so employing him,

(a) 10 & 11 Geo. 6. c. 49.

(b) 36 & 37 Vict. c. lxxxviii; 47 & 48 Vict. c. vi;

60 & 61 Vict. c. cxx; 4 & 5 Geo. 5. c. xxxix; 4 & 5 Geo. 6. c. x; 11 & 12 Geo. 6. c. xii;

7 & 8 Eliz. 2. c. ix.

(c) S.I. 1954/139 (1954 I, p. 205).

(c) for a beneficiary under an existing scheme, the nationalised transport body which would have been the responsible employing body under the foregoing provisions of this definition for the member by virtue of whose pensionable service the pension rights of the beneficiary have arisen, if that member had not died or if his pension rights under the scheme had not otherwise terminated ;

“ successor body ”, in relation to an existing scheme, means the nationalised transport body to which the rights, liabilities and functions of the Commission relating to that scheme are transferred by this Order, or, where those rights, liabilities and functions are transferred to more than one such body, any one of the nationalised transport bodies to which those rights, liabilities and functions are so transferred ;

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

“ the vesting date ” means the date appointed by the Minister pursuant to section 31 of the Act.

(4) Where, for the purpose of any provision of this Order, it is necessary to determine which nationalised transport body is, or becomes, the responsible employing body for a person on a particular date or at a particular time, the question whether that person is a present member or a past member of, or a beneficiary under, an existing scheme shall be determined by reference to that particular date or time.

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

Continuance of existing schemes

2. Every existing scheme and every term thereof shall continue in force subject to the transfer of rights, liabilities, functions and property effected by this Order and to any modifications of such schemes provided for in this Order or in or under any other relevant statutory provision.

Transfer of rights, liabilities and functions of the Commission relating to pensions and pension schemes

3. The rights, liabilities and functions of the Commission relating to the existing schemes which are specified in Parts 1, 2, 3, 4 and 5 of the Schedule hereto shall be respectively transferred to the Railways Board, the London Board, the British Waterways Board, the Docks Board and the Holding Company.

4. The rights, liabilities and functions of the Commission relating to the Merchant Navy Officers' Pension Fund shall be respectively transferred to the Railways Board and to the Docks Board according as they relate to present members of that pension scheme for whom the Railways Board or any subsidiary of that Board, or for whom the Docks Board or any subsidiary of that Board, is, or becomes, the responsible employing body on the vesting date.

5. The rights, liabilities and functions of the Commission relating to the West Ham Corporation Superannuation Fund shall be respectively transferred to the London Board and to the Railways Board according as they relate to the persons (whether present members or past members of, or

beneficiaries under, that pension scheme) for whom the London Board or any subsidiary of that Board, or for whom the Railways Board or any subsidiary of that Board, is, or becomes, the responsible employing body on the vesting date.

6. The rights, liabilities and functions of the Commission relating to the Railway Clearing System Superannuation Fund Scheme shall be respectively transferred to each of the Boards and to the Holding Company according as they relate to the persons (whether present members or past members of, or beneficiaries under, that pension scheme) for whom such Board or any subsidiary of such Board, or for whom the Holding Company or any subsidiary of the Holding Company (as the case may be), is, or becomes, the responsible employing body on the vesting date.

7. Any rights, liabilities and functions of the Commission relating to pensions or pension schemes, which are not transferred to a Board or to the Holding Company under any of the foregoing provisions of this Order, shall be transferred to the Railways Board.

8. Any securities or other property held by the Commission on trust for an existing scheme shall be transferred to the successor body for that scheme, if there is only one such body, but if there is more than one successor body for that scheme, then to the successor bodies jointly and the successor bodies shall, as soon as may be, divide those securities or other property between themselves in such proportion or proportions as they may agree or as may, in the absence of such agreement, be determined by the Minister.

9. All the foregoing transfers of rights, liabilities and functions of the Commission and of property held by the Commission shall take place on the vesting date and shall be transfers subject to the provisions of this Order, and the rights, liabilities, functions and property hereby transferred shall by virtue of this Order vest on that date in the bodies to which they are respectively transferred.

10.—(1) Where, under any provision of this Order, the functions of the Commission relating to an existing scheme are transferred to more than one successor body,—

(a) if the transfer includes a power to appoint trustees of, or persons administering, the scheme, each of the successor bodies shall be entitled to appoint so many of such trustees or persons as may be agreed by those bodies or as may, in default of agreement, be determined by the Minister, and

(b) in relation to all other functions so transferred, the successor bodies shall, where some division of such functions between the successor bodies is necessary or expedient for the exercise of those functions, make such division thereof between themselves as may be agreed by those bodies or as may, in default of agreement, be determined by the Minister.

(2) For the purposes of the Railway Clearing System Superannuation Fund Scheme the provisions of paragraph (1) (a) of this Article shall have effect in relation to the power of the Commission to appoint a certain number of the members of the Council of the Railway Clearing System Superannuation Fund.

(3) The provisions of this Article shall be without prejudice to the provisions of Article 14 of this Order.

11.—(1) Nothing in this Order shall apply to any liability of the Commission which is transferred to the Railways Board under paragraph 23 of Schedule 7 to the Act.

(2) Nothing in this Order shall affect the tenure of office of any person appointed or nominated by the Commission before the vesting date in exercise of any power conferred on the Commission by any term of an existing scheme.

12.—(1) Without prejudice to the provisions of any other Article of this Order and subject as hereafter provided in this Article, the provisions of section 35 of, and of paragraphs 1, 2, 3 and 5 of Schedule 6 to, the Act shall apply (so far as relevant) in relation to the foregoing transfers of rights, liabilities, functions and property.

(2) For the purposes of the foregoing application, the provisions of the said paragraphs of Schedule 6 to the Act shall have effect as if—

the word “agreement” therein included any trust deed, rules or other instrument relating to an existing scheme,

the expression “the principal sections” therein included the provisions of this Order,

the expression “the operation of this Act” therein included the operation of this Order,

the expression “successor Board” meant, in relation to an existing scheme for which there is only one successor body, that successor body, but in relation to an existing scheme for which there are two or more successor bodies, both or all of those bodies collectively, or either or any of them separately, as the context may require,

references therein to rights or liabilities included references to functions, and

references in paragraphs 1, 3 and 5 thereof to the Boards included references to the Holding Company.

(3) Without prejudice to the foregoing provisions of this Article, the following provisions shall have effect in relation to the Railway Clearing System Superannuation Fund Scheme on and after the vesting date:—

(a) each of the Boards and the Holding Company shall be regarded as Assenting Contributing Bodies within the meaning of, and for all the purposes of, that scheme, and

(b) each of the Boards and the Holding Company shall respectively be regarded for the purposes of that scheme as the employer of every present member thereof for whom a subsidiary of that Board or of the Holding Company (as the case may be) becomes, or is, the responsible employing body on the vesting date or at any time after that date.

Obligations of responsible employing bodies

13. Where the responsible employing body for any present member of an existing scheme is not the successor body, or one of the successor bodies, for that scheme, then—

(a) any sums required by the terms of that scheme to be paid by that member as his contributions to the scheme shall be deducted by the responsible employing body from his salary or wages and shall be paid by that body in accordance with those terms to the trustees of, or persons administering, the scheme; and

(b) any sums required by the terms of that scheme to be paid in respect of that member by his employer as the employer's contributions to the scheme shall be paid by the responsible employing body in accordance with those terms to the trustees of, or persons administering, the scheme.

14.—(1) Where the responsible employing body for any present members or past members of, or beneficiaries under, an existing scheme is not the successor body, or one of the successor bodies, for that scheme, then—

(a) the responsible employing body shall make such payments to the successor body or bodies by way of contributions towards the administrative expenses of the scheme or (subject to the provisions of paragraph (2) of this Article) towards any payments which any successor body is obliged to make in the discharge of the liabilities, or in the performance of the functions, transferred to it under this Order in relation to the scheme, or to implement any guarantee given by such successor body or binding upon it by virtue of the provisions of this Order in relation to the scheme, as may be equitable having regard to all the circumstances of the case, including the number of present members, past members and beneficiaries involved, and to any obligations or benefits (including past or prospective obligations or benefits) of the responsible employing body or of, or in relation to, such present members, past members and beneficiaries as aforesaid, and in the case of any disagreement between the responsible employing body and any successor body or between any successor bodies themselves, as to their obligations under this Article, the matter shall on the application of any of the bodies concerned be determined by the Minister whose decision shall be final ;

(b) if as a result of the foregoing provisions of this Order a successor body becomes entitled to exercise any power in relation to that scheme (whether a power of appointing trustees, amending rules, approving the admission of members, or otherwise howsoever in relation to that scheme), being a power which was, immediately before the vesting date, exercisable by the Commission, the Minister may, on the application of the responsible employing body or of any successor body, direct that such power shall be exercisable by the responsible employing body to such extent (whether instead of such successor body or jointly with that body) and in such manner as may appear to the Minister to be appropriate, and where any such direction is so given the terms of the scheme shall, whilst the direction remains in force, have effect subject to the provisions of the direction.

(2) Except in pursuance of an agreement made, with the consent of the Minister, between the responsible employing body and the successor body concerned, the responsible employing body shall not by virtue of paragraph (1) of this Article be required to make any payment to any successor body by way of a contribution towards any payments which the successor body is obliged to make in the discharge of any liability transferred to it under this Order, being a liability in connection with any pension fund monies which were deposited with and are held by the Commission for the purposes of any existing scheme.

Eligibility for participation in existing schemes

15.—(1) Subject to the provisions of this Article, every existing scheme which is a contributory pension scheme shall be construed and have effect as if it contained the following terms :—

(a) a term whereby a person who becomes an employee of a nationalised transport body on the vesting date shall be eligible to participate in that existing scheme to the same extent and on the same basis as if he had entered into comparable employment with that nationalised transport body before the vesting date ; and

(b) a term whereby a person who becomes an employee of a nationalised transport body after the vesting date shall be eligible to participate in that existing scheme to the same extent and on the same basis as were persons who entered into comparable employment with that nationalised transport body on or before the vesting date.

(2) Nothing in paragraph (1) of this Article shall render any person eligible to become a participant in the Railway Clearing System Superannuation Fund Scheme or an existing scheme which on the date on which he becomes an employee of a nationalised transport body is closed to new members.

Persons having pension rights under an existing scheme and becoming members or directors of a nationalised transport body

16. Where a person who has pension rights under an existing scheme by virtue of his employment by the Commission or a nationalised transport body is on the vesting date, or becomes on or after the vesting date, a member of a Board or of the Holding Company or a director of a subsidiary of a Board or of the Holding Company and holds his office as such a member or director full-time and at a salary, he shall be entitled to be treated for the purposes of that scheme as if his service as such a member or director were service in the employment of such a body, and as if, where that service immediately precedes or follows other service which is, or is to be treated as, service in the employment of the Commission or of a nationalised transport body, the two periods of service were continuous.

Payment of pensions by the Boards and the Holding Company

17.—(1) Except as provided by this Article, a Board, the Holding Company and a subsidiary of a Board or of the Holding Company shall not without the consent of the Minister pay any pension or enter into any obligation under a pension scheme.

(2) Paragraph (1) of this Article shall not apply to—

(a) the payment of any pension in accordance with the terms of an existing scheme as those terms stand immediately after the vesting date or are subsequently modified with the consent of the Minister, or

(b) the payment of any pension in pursuance of an obligation under a pension scheme entered into with the consent of the Minister after the vesting date, being a payment in accordance with that obligation as it subsists when first entered into or as it is subsequently modified with the consent of the Minister, or

(c) the payment of any pension in accordance with any scheme approved by the Minister under paragraph 15 of Schedule 7 to the Act.

(3) Any consent given by the Minister for the purposes of this Article may be given for any case or description of case specified in the consent and may be given subject to conditions.

Scaled with the Official Seal of the Minister of Transport the 18th December, 1962.

(L.S.)

Ernest Marples,

The Minister of Transport.

THE SCHEDULE

PART 1

Existing schemes—the Railways Board

- British Railways (North Eastern Region) Employees Accident and Death Fund.
 British Railways Southern Region Employees' Supplementary Pension Society.
 British Transport Commission (Male Wages Grades) Pension Scheme.
 Great Eastern Railway Captains' Retirement Fund.
 Great Eastern Railway Employees' Sick and Orphan Society.
 Great Eastern Railway Higher Pension Fund.
 Great Eastern Railway New Pension Fund.
 Great Eastern Railway New Pension Supplemental Fund.
 Great Eastern Railway New Pension Fund and New Pension (Supplemental) Fund Trust Account.
 Great Eastern Railway Provident Society—Annuitants.
 Great Northern Railway Locomotive Friendly Society.
 Great Northern Railway Superannuation Fund.
 Great Western Railway Enginemen and Firemen's Mutual Assurance, Sick and Superannuation Society.
 Great Western Railway Inspectors' and Foremen's Special Pension Fund.
 Great Western Railway Locomotive and Carriage Department Sick Fund Society.
 Great Western Railway Officers Special Retiring Allowances Fund.
 Great Western Railway Pension Society.
 Great Western Railway Provident Society.
 Great Western Railway Salaried Staff Supplemental Pension Fund.
 Great Western Railway Salaried Staff Widows' and Orphans' Pension Society.
 Great Western Railway Superannuation Fund.
 Great Western Railway Widows' and Orphans' Benevolent Fund.
 London & South Western Railway Co.'s Engine Drivers, Firemen, Locomotive and Electrical Engineering Departments Pension Society.
 Lancashire & Yorkshire Railway Pension Fund Society.
 London Brighton & South Coast Railway Pension Fund.
 London Midland Region—W. H. Smith's Scheme.
 London Midland & Scottish Railway Benevolent Fund.
 London Midland & Scottish Railway (London North Western) Insurance Society.
 London Midland & Scottish Railway (London North Western) Provident & Pension Society and Supplemental Pension Fund.
 London Midland & Scottish Railway Midland Friendly Society.
 London Midland & Scottish Railway (North Staffordshire Section) Friendly Society.
 London Midland & Scottish (Salaried Staff) Voluntary Fund.
 London Midland & Scottish Railway Superannuation Fund.
 London Midland & Scottish Railway Voluntary Fund—A and B.
 London & North Eastern Railway Superannuation Fund.
 London & North Eastern Railway Superannuation Fund Joint Annuities Trust Account.
 London & North Western Railway Provident Society for providing pensions for Widows and Orphans of the Salaried Staff.
 London & North Western Railway Supplementary Pension Fund and London & North Western Railway Foremen's Pension Fund.

- North British Railway Insurance Society.
- North Eastern Railway (Darlington Section) Superannuation Society.
- North Eastern Railway Non-contributory scheme for Female Clerical Staff.
- North Eastern Railway Police Superannuation Society.
- North Eastern Railway Servants' Pension Society.
- North Eastern Railway Servants' Sickness and Assurance Society.
- North Eastern and Great Eastern Superannuation Societies and Pension Funds Joint Trust Account.
- Port Talbot Railway and Docks Company Augmentation Fund.
- Pullman Car Co. Ltd.—Male Wages Grade Employees Superannuation Fund and Life Assurance Scheme.
- Pullman Car Co. Ltd.—Salaried Staff Group Superannuation Fund and Life Assurance Scheme.
- Southern Railway (South Eastern and Chatham Section) Enginemen & Motor-men's Pension Fund Society.
- Southern Railway Superannuation Fund.
- Southern Railway (Western Section) Provident and Sick Benefit Society.
- Taff Vale Railway Employees Accident Fund.
- Thos. Bantock & Co. Benevolent & Pensions Fund.
- Thos. Bantock & Co. Superannuation Fund.
- Holyhead Harbour—Employees' Scheme.
- Widows' and Children's Pensions—established under the Superannuation Act 1949(a) (Holyhead Harbour Employees).
- Supplementation in 1944 of pre-1923 amalgamation Companies' Superannuation Fund Pensions.
- Allowances and supplementation of pensions of the former railway undertakings in pursuance of customary obligations which became obligations of the Commission under section 99 (2) of the Transport Act 1947.
- Allowances and supplementation of pensions of the Railway Clearing House in pursuance of customary obligations which became obligations of the Commission under Clause 5 of the Railway Clearing House Scheme 1954.
- Individual Contractual Pension Arrangements of the British Transport Commission.

PART 2

Existing schemes—the London Board

- British Electrical Endowment Fund.
- Croydon Corporation Superannuation and Provident Fund.
- East Ham Corporation Superannuation Fund.
- Erith Corporation Superannuation Fund.
- Ilford Corporation Superannuation Fund.
- London County Council Superannuation and Provident Fund.
- London Transport (Administrative and Supervisory) Staff Superannuation Fund.
- London Transport (Country Buses and Coaches) Employees' Friendly Society.
- Metropolitan Railway Pension Fund.
- Metropolitan Railway Supplementary Pension Fund (Wages Staff).
- Walthamstow Corporation Superannuation Fund.
- Allowances and supplementation of pensions of the former London Passenger Transport Board in pursuance of customary obligations which became obligations of the Commission under section 99 (2) of the Transport Act 1947.

PART 3

Existing schemes—the British Waterways Board

- Aire & Calder Navigation Superannuation Fund.
 Cheshire County Council Superannuation Fund—Divided.
 Grand Union Canal Carrying Co. Ltd. Superannuation Scheme.
 Grand Union Canal Company Superannuation Fund.
 Grand Union (Stevedoring & Wharfage) Co. Ltd. Superannuation Scheme.
 Nottingham Corporation Superannuation Fund—Divided.
 Severn Carrying Company Pension and Life Assurance Scheme.
 Severn Commission Pension and Life Assurance Scheme.
 Sharpness & Gloucester Dock Co. Pension and Life Assurance Scheme.
 T. Clayton (Paddington) Ltd. Superannuation Scheme.
 Caledonian and Crinan Canals—Employees' Scheme.
 Lee Conservancy Board—Employees' Scheme.
 Pensions (Increase) Acts 1920 and 1924, 1944 and 1947, 1952, 1954, 1956 and 1959(a) as applicable to transferred employees of:—
 Caledonian & Crinan Canals.
 Lee Conservancy Board.
 Nottingham Corporation Navigation.
 Weaver Navigation.

Widows' and Children's Pension Scheme—established under the Superannuation Act 1949.

Allowances and supplementation of pensions of the former canal and inland navigation undertakers, shown in Part II of the Third Schedule to the Transport Act 1947, in pursuance of customary obligations which became obligations of the Commission under section 99 (2) of that Act.

PART 4

Existing scheme—the Docks Board

Retiring allowances under the customary practice of the King's Lynn Dock and Railway Co.

PART 5

Existing schemes—the Holding Company

- Bristol Tramways and Carriage Co. Ltd. Superannuation Scheme.
 British Road Services (Salaried Staff) Group Superannuation Fund.
 British Road Services (Male Wages Grades) Group Pension Fund.
 Burnley Equitable Co-operative and Industrial Society Ltd. Superannuation Scheme—Divided.
 Chas. A. Wells Endowment Fund—Divided.
 Coast Lines Superannuation Fund Association—Divided.
 Foremen & Staff Mutual Benefit Society—Divided.
 Furness Withy Superannuation Scheme—Divided.
 Hay's Wharf Companies Superannuation Fund—Section B.
 Rudd Endowment Fund.
 Scottish Omnibuses Group Pension Fund.
 Superannuation Fund Association of Chaplins Ltd.
 Thos. Cook & Son—Staff Pension and Provident Fund.

(a) 10 & 11 Geo. 5. c. 36; 14 & 15 Geo. 5. c. 32; 7 & 8 Geo. 6. c. 21; 10 & 11 Geo. 6. c. 7; 15 & 16 Geo. 6 & 1 Eliz. 2. c. 45; 2 & 3 Eliz. 2. c. 25; 4 & 5 Eliz. 2. c. 39; 7 & 8 Eliz. 2. c. 50.

Thos. Cook & Son—Supplementary Pension Fund.

Tillings Endowment Funds.

Tilling Group Pension Fund.

Insurance Funds:—

Eagle Star Insurance Co. Ltd.—

Fairclough Staff Pension Scheme.

Scribbans Kemp Pension Scheme—

Hirst and Payne.

Red Arrow Deliveries.

Equity and Life Assurance Society—

E. & E. J. Shaw Ltd.—Pension & Life Assurance Scheme.

Prudential Assurance Co. Ltd.—

J. Gerrard Transport Ltd. Scheme.

Scottish Provident Institution—

H. & G. Duffield Staff Endowment Scheme.

Sun Life Assurance Society—

R. J. Weeks & Co. Ltd. Staff Superannuation Scheme.

Springfield Carriers Ltd. Staff Superannuation Scheme.

W. A. & A. G. Spiers Ltd. Staff Assurance Scheme.

Insurance Schemes:—

Colonial Mutual Life Assurance Society Ltd.—

A.C.S. Motors Ltd.

Adamsons Limited.

Barrack & Fenton Ltd.

Bennets Haulage.

Blackford Bros. Ltd.

Cowan & Co.

Crouchers Ltd.

D. West & Sons Ltd.

Direct Transport (Wellingbro.) Ltd.

Donaldson Wright.

F. D. Hulse Ltd.

Fisher Renwick Ltd.

G. H. Atkins & Sons.

Guest Transport Ltd.

H. H. Hawker Ltd.

J. & G. Barrack Ltd.

J. Arnott (Contractors) Ltd.

J. Gupwell Transport Ltd.

J. Harvey (Hauliers) Ltd.

J. Keetch & Son.

Jennens Bros. Transport Ltd.

Macks Hauliers.

Marshalls—St. Helens.

Colonial Mutual Life Assurance Society Ltd.—(continued).

Munro's Motor Transport Co.

P.X. Ltd.

R. Keetch & Son Ltd.

Robin Hood Transport Ltd.

Robinson Transport (Beccles) Ltd.

S. Oatley & Sons Ltd.

Swindon Transport Ltd.

T. Goy & Sons Ltd.

Tees-side Motor Transport Ltd.

Topham Bros.

Union Road Transport.

Wm. Clarke (Nottingham) Ltd.

W. Hesford Ltd.

W. Hill.

W. Wisely & Sons Ltd.

Youngs Express Deliveries.

Friends' Provident & Century Life Office—

Southern Roadways Ltd. Endowment.

Legal & General Assurance Society Ltd.—

Ardwick Haulage.

C. Scott's Road Services Ltd. Life Assurance Scheme.

Red & White Services Limited.

S. J. Jeffery Ltd. Staff Assurance Scheme.

United Welsh Services Ltd.

National Mutual Life Association of Australasia—

Castleford Transport Ltd. Pension Scheme.

National Provident Institution—

N. Francis & Co. Ltd.

Phoenix Assurance Co. Ltd.—

Davies & Brownlow Ltd. Staff Pension Scheme.

Provident Mutual Life Assurance Association—

Brighton, Hove & District Omnibus Co. Ltd.

Carter Paterson Ltd.

Durham District Services Ltd.

Eastern Coach Works Ltd.

Eastern Counties Omnibus Co. Ltd.

Hays Wharf Cartage Co., Pickfords Ltd., and Carter Paterson & Co. Ltd.

Joseph Nall & Co. Ltd.

Thos. Cook & Son Ltd.—Superannuation Fund.

Thos. Cook & Son Ltd.—Pension Scheme for Male Employees.

Thos. Cook & Son Ltd.—Pension Scheme for Female Employees.

Tilling Staff Welfare Society—Section 1.

United Automobile Services Ltd.

United Counties Omnibus Co. Ltd.

West Yorkshire Road Car Co. Ltd.

Royal Exchange Assurance Co. Ltd.—

Carter Paterson Ltd.

Scottish Widows' Fund and Life Assurance Society—

Atlantic Steam Navigation Pension and Life Assurance Scheme.

H. Viney & Co. Pension & Life Assurance Plan.

Sun Life of Canada—

D. M. Smith Road Transport Staff Scheme.

G. & B. Watson—B. E. Palmer Ltd.

H. & R. Duncan Ltd.

J. Robertson Group Superannuation.

Northern Motor Utilities Pension Scheme.

T. Brown Transport Pension Scheme.

W. A. Mitchell Road Transport.

Pension schemes for former Road Haulage Undertakings to which the Transferred Undertakings (Pensions of Employees) (No. 2) Regulations 1952(a) and the British Transport Commission (Pensions of Employees) Regulations 1953(b) apply, not being schemes otherwise specified in this Part of this Schedule.

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

The Order provides for the transfer of the rights, liabilities and functions of the British Transport Commission relating to pensions or pension schemes, and of any securities or other property held by the Commission on trust for a pension scheme, to the British Railways Board, the London Transport Board, the British Transport Docks Board, the British Waterways Board and the Transport Holding Company on the vesting date (that is, the date on which the other property, rights and liabilities of the British Transport Commission are transferred to and vest in those bodies) (Articles 2 to 14). The tenure of office of any person appointed by the Commission as a trustee or administrator of a pension scheme before the vesting date will not be affected by the Order (Article 11), but thereafter, the Boards, the Holding Company and their subsidiaries will, as appropriate, make such appointments and exercise the other powers previously vested in the Commission (Articles 10 and 14 (1) (b)). These bodies are also to be required to make appropriate contributions for the purposes of the pension schemes (Articles 13, 14 (1) (a) and 14 (2)).

The Order modifies existing contributory pension schemes so as to give employees entering the service of any of the Boards, the Holding Company, and their subsidiaries on or after the vesting date eligibility to join those schemes (Article 15).

Pensionable employees who become members of any of the Boards or of the Holding Company or directors of any subsidiaries of those bodies will be entitled to count their service as members or directors for pension purposes under their pension schemes (Article 16).

A Board, the Holding Company and any of their subsidiaries are required to obtain the consent of the Minister before entering into any new pension obligations or amending any existing scheme (Article 17).

(a) S.I. 1952/1612 (1952 II, p. 2248).

(b) S.I. 1953/1445 (1953 II, p. 1472).