STATUTORY INSTRUMENTS

1971 No. 176

CIVIL AVIATION

The Air Corporations (General Staff, Pilots and Officers Pensions) (Amendment) Regulations 1971

Made - - -	3*rd February* 1971
Coming into Operation	16*th February* 1971

The Secretary of State in exercise of his powers under section 24 of the Air Corporations Act 1967(**a**) and of all other powers enabling him in that behalf, after consulting with each of the Corporations and with such organisations representative of the employees to whom the Regulations will relate as appear to him to be appropriate, hereby makes the following Regulations :—

1.—(1) These Regulations shall come into operation on 16th February 1971 and may be cited as the Air Corporations (General Staff, Pilots and Officers Pensions) (Amendment) Regulations 1971.

(2) These Regulations—

(*a*) shall be construed as one with the Air Corporations (General Staff Pensions) Regulations 1948(**b**) ;

(*b*) may be cited together with the Air Corporations (Pensions) Regulations 1948 to 1970(**c**) as the Air Corporations (Pensions) Regulations 1948 to 1971.

(3) The Interpretation Act 1889(**d**) shall apply for the purpose of these Regulations as it applies for the purpose of the interpretation of an Act of Parliament.

2.—(1) The Joint Pension Scheme established and maintained by virtue of the Air Corporations (Pensions) Regulations 1948 to 1970 shall be in accordance with the provisions of the Trust Deed and Amending Deeds, copies of which are set out in the Schedules to those Regulations as further amended by a Deed dated 29th October 1970, a copy of which is set out in the Schedule to these Regulations.

(2) The said Deed dated 29th October 1970 is accordingly confirmed and shall come into operation on 16th February 1971.

3. British Air Services Ltd. (being a subsidiary of the British European Airways Corporation) whose employees are admitted to the Scheme by virtue of the said Deed dated 29th October 1970, and each of their employees who is a member of the Scheme shall, for the purpose of providing funds from which benefits under the said Scheme may be paid, pay contributions in accordance with the provisions of the said Trust Deeds.

(**a**) 1967 c. 33.
(**b**) S.I. 1948/2361 (Rev. I, p. 1275: 1948 I, p. 437).
(**c**) See S.I. 1948/2361 (Rev. I, p. 1275: 1948 I, p. 437) and amending instruments down to S.I. 1970/768 (1970 II, p. 2418).
(**d**) 1889 c. 63.

4. Contributions and benefits shall be paid in respect of the service of such an employee with British Air Services Ltd. before the coming into force of these Regulations in accordance with the provisions of the said Trust Deed.

P. A. R. Brown,
An Under Secretary,
Department of Trade and Industry.

3rd February 1971.

SCHEDULE

THIS DEED is made the twenty-ninth day of October One thousand nine hundred and seventy BETWEEN BRITISH OVERSEAS AIRWAYS CORPORATION whose principal office is situate at Speedbird House Heathrow Airport (London) Hounslow in the County of Middlesex and BRITISH EUROPEAN AIRWAYS CORPORATION whose principal office is situate at Bealine House Ruislip in the County of Middlesex BOAC RESTAURANTS LIMITED whose registered office is situate at Speedbird House aforesaid BEA HELICOPTERS LIMITED whose registered office is situate at Gatwick Airport (London) Horley in the County of Surrey BEA AIRTOURS LIMITED whose registered office is situate at Bealine House aforesaid (hereinafter called "the Employers") of the first part BRITISH AIR SERVICES LIMITED whose registered office is situate at Bealine House aforesaid (hereinafter called "Air Services") of the second part Rankin Lorimer Weir Derek Harding Glover Angus John Dore Betts Robert Gilchrist Cunningham Ralph Arthur Fuller Charles Victor Green Cyril Alfred Herring Oliver James Hinch Reginald Banwell Johnson Charles George Klimcke Thomas Nisbet and John Charles William Springbett the Management Trustees for the time being of The Airways Corporations Joint Pension Scheme (hereinafter called "the Management Trustees") of the third part and AIRWAYS CORPORATIONS JOINT PENSION FUND TRUSTEES LIMITED whose registered office is situate at Kershaw House Great West Road Hounslow in the County of Middlesex (hereinafter called "the Custodian Trustees" which expression shall include the Custodian Trustees for the time being) of the fourth part AND IS supplemental to the various Deeds set out in the Air Corporations Pensions Regulations 1948 to 1970.

WHEREAS

(1) Air Services is a subsidiary of British European Airways Corporation for the purposes of Section 24 of the Air Corporations Act 1967.

(2) The parties hereto are desirous of extending The Airways Corporations Joint Pension Scheme so as to enable employees of Air Services to be admitted to membership of the Scheme.

(3) At a meeting of the Management Trustees held on the eleventh day of March One thousand nine hundred and seventy the said Charles George Klimcke and the said John Charles William Springbett were appointed to execute this Deed in accordance with the provisions of Clause 18 of the said Trust Deed dated 8th October 1948 and set out in the schedule to the Airways Corporations (General Staff Pensions) Regulations 1948.

NOW IT IS HEREBY AGREED AND DECLARED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS:—

1. Air Services shall be deemed to be a party to the various Deeds set out in the Air Corporations Pensions Regulations 1948 to 1970.

2. Air Services shall enjoy all the rights and shall assume all the obligations of an Employer arising under the Trust Deed and Rules of the Scheme.

3. The Trust Deed shall be amended as follows:—

(*a*) In Clause 1 of the Trust Deed for the definition of "Employer" there shall be substituted the following definition:—

"Employer" means whichever of the following persons or bodies is the Employer of a Member for the time being:—

(*a*) British Overseas Airways Corporation

(*b*) British European Airways Corporation

(*c*) BOAC Restaurants Limited

(*d*) BEA Helicopters Limited

(*e*) BEA Airtours Limited

(*f*) British Air Services Limited

(*b*) In Clauses 19A and 19A(*a*) the words "BRL, Helicopters or Airtours" shall be deleted and replaced by the words "BRL, Helicopters, Airtours or Air Services"

4. Save as expressly altered amended or varied hereby the Trust Deed and the Schedules thereto as heretofore amended shall continue and remain in force and shall have effect as if the alterations amendments or variations herein set out were where applicable inserted therein.

5. This Deed is conditional on its being confirmed by Regulations made by the Board of Trade under Section 24 of the Air Corporations Act 1967 and if so confirmed shall come into force on such date as may be specified in that behalf in such Regulations IN WITNESS WHEREOF the parties of the first and second and fourth parts have caused their respective Common Seals to be hereunto affixed and the Management Trustees have hereunto set their hands and seals the day and year first before written.

THE COMMON SEAL OF BRITISH OVERSEAS AIRWAYS CORPORATION was hereunto affixed in the presence of:

(L.S.)

D. H. GLOVER
Member

R. M. FORREST
Secretary

THE COMMON SEAL OF BRITISH EUROPEAN AIRWAYS CORPORATION was hereunto affixed in the presence of:

(L.S.)

M. J. LESTER
Secretary

THE COMMON SEAL OF BOAC RESTAURANTS LIMITED was hereunto affixed in the presence of:

(L.S.)

T. J. GLOVER
Director

D. G. DODSON
Secretary

THE COMMON SEAL OF BEA HELICOPTERS LIMITED was hereunto affixed in the presence of:

(L.S.)

J. A. CAMERON
Director

R. D. KEEFE
Secretary

THE COMMON SEAL OF BEA AIRTOURS LIMITED was hereunto affixed in the presence of:

(L.S.)

W. BAILLIE
Managing Director

T. M. ANKERS
Secretary

THE COMMON SEAL OF BRITISH AIR SERVICES LIMITED was hereunto affixed in the presence of:

(L.S.)

H. E. MARKING
Member

M. J. LESTER
Secretary

SIGNED SEALED AND DELIVERED by the said CHARLES GEORGE KLIMCKE in the presence of:

C. G. KLIMCKE

M. C. SLATER (Secretary)
1, Burlington Road,
Isleworth, Middx.

SIGNED SEALED AND DELIVERED by the said JOHN CHARLES WILLIAM SPRINGBETT in the presence of:

J. C. W. SPRINGBETT

M. C. SLATER (Secretary)
1, Burlington Road,
Isleworth, Middx.

THE COMMON SEAL OF AIRWAYS CORPORATIONS JOINT PENSION FUND TRUSTEES LIMITED was hereunto affixed in the presence of:

(L.S.)

R. L. WEIR
Director

H. BROMAGE
Secretary

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Airways Corporations Joint Pension Scheme so as to make provision whereby employees of British Air Services Ltd., a subsidiary of BEA, can be admitted to the Scheme. Provision is also made for the subsidiary to have the rights and obligations of an employer under the Trust Deed and Rules of the Scheme and for payment of contributions by the subsidiary and its employees.