STATUTORY INSTRUMENTS

1978 No. 1295

TRANSPORT

PENSIONS AND COMPENSATION

The British Railways Board (Funding of Pension Schemes) (No. 5) Order 1978

Made - - -	1*st September* 1978
Laid before the House of Commons - -	8*th September* 1978
Coming into Operation	1*st October* 1978

The Secretary of State for Transport, with the approval of the Treasury, hereby makes this Order in exercise of his powers under sections 5 and 6 of the Railways Act 1974(**a**) and of all other enabling powers:—

Commencement and Citation

1. This Order shall come into operation on 1st October 1978, and may be cited as the British Railways Board (Funding of Pension Schemes) (No. 5) Order 1978.

Interpretation

2.—(1) In this Order—

"the Act" means the Railways Act 1974;

"the No. 1 Order", "the No. 2 Order", "the No. 3 Order" and "the No. 4 Order" mean respectively, the British Railways Board (Funding of Pension Schemes) (No. 1) Order 1974 (**b**), the British Railways Board (Funding of Pension Schemes) (No. 2) Order 1975(**c**), the British Railways Board (Funding of Pension Schemes) (No. 3) Order 1976(**d**) and the British Railways Board (Funding of Pension Schemes) (No. 4) Order 1977(**e**);

"obligation" shall be construed in accordance with section 6(3) of the Act;

"the prescribed obligations owed by the Railways Board", in connection with a pension scheme, means all the obligations from time to time owed by the Railways Board in connection with that scheme, other than any obligation excluded by section 5(2) of the Act;

"the Railways Board" means the British Railways Board.

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

(**a**) 1974 c. 48. (**b**) S.I. 1974/2005. (**c**) S.I. 1975/2063.
(**d**) S.I. 1976/2117. (**e**) S.I. 1977/2039. (**f**) 1889 c. 63.

Funding of obligations

3.—(1) For the purposes of funding the prescribed obligations owed by the Railways Board in connection with the pension schemes listed in column (1) of the Schedule to this Order the Railways Board shall provide the sum of £37,680,737 which shall be apportioned between those schemes in the manner set out in that Schedule, the sum apportioned to each scheme specified in column (1) of that Schedule being set against that scheme in column (2) of that Schedule.

(2) The debt of the Railways Board constituted by a sum apportioned as aforesaid shall be paid off by the Board during the period beginning on the 1st April 1979 and ending on the 1st April 1986 by instalments of the amounts set against that sum in columns (3) to (10) (inclusive) of the Schedule to this Order, the instalments specified in each of those columns being payable by the Railways Board on the date stated at the head of that column.

(3) Interest on the outstanding amount of each such debt shall be payable by the Railways Board at the rate of 12·375 per cent per annum, the first payment of interest to be made on the 31st December 1978 and the subsequent payments to be made at three monthly intervals thereafter.

(4) For the purposes of section 5(5)(*a*) of the Act the minimum amount of the principal of the debt of the Railways Board constituted by virtue of this Order in relation to a pension scheme specified in column (1) of the Schedule to this Order shall be the sum set against that scheme in column (11) of that Schedule.

Funding to be supplemental to that provided for by previous Orders and to be partial only

4. In relation to the pension schemes listed in the Schedule to this Order the funding of the obligations provided for by Article 3 of this Order is supplemental to that provided for by the applicable provisions of the No. 1 Order, the No. 2 Order, the No. 3 Order and the No. 4 Order, and is partial only.

1st September 1978.

William Rodgers,
Secretary of State for Transport.

We approve the making of this Order

T. E. Graham,

A. W. Stallard,
Two of the Lords Commissioners of Her Majesty's Treasury.

1st September 1978

THE SCHEDULE

Pension Scheme (1)	Sum Apportioned to Each Scheme (2)	Amounts of Instalments and Dates of Payment								Minimum Amount of Debt (11)
		1.4.1979	1.4.1980	1.4.1981	1.4.1982	1.4.1983	1.4.1984	1.4.1985	1.4.1986	
		(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
British Railways Superannuation Fund:										
New Section	451,325	24,823	28,434	36,557	46,487	57,318	70,407	85,300	101,999	24,823
Amalgamated Sections..	7,090,697	389,988	446,714	574,346	730,342	900,518	1,106,149	1,340,142	1,602,498	389,988
Great Western Railway Supplemental Pension Reserve Fund	1,184,912	65,170	74,650	95,978	122,046	150,484	184,846	223,948	267,790	65,170
B.R. (1974) Pension Fund ..	28,816,646	1,584,915	1,815,449	2,334,148	2,968,115	3,659,714	4,495,397	5,446,346	6,512,562	1,584,915
London Midland and Scottish Railway (LNW) Provident and Pension Society ..	130,010	7,150	8,191	10,531	13,391	16,511	20,282	24,572	29,382	7,150
London Midland and Scottish Railway (LNW) Insurance Society	7,147	393	450	579	736	908	1,115	1,351	1,615	393
Total	37,680,737	2,072,439	2,373,888	3,052,139	3,881,117	4,785,453	5,878,196	7,121,659	8,515,846	2,072,439

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order prescribes the sum of £37,680,737 as the sum to be provided by the British Railways Board, and to be paid by the Board in instalments during the period beginning on the 1st April 1979 and ending on the 1st April 1986, for the purpose of effecting a partial funding of the Board's obligations in connection with certain of their pension schemes. The apportionment of this sum between the various pension schemes and the requirements as to the amounts of the instalments, the dates for payment, the rate of interest and the dates for payment of interest are also provided for in the Order (Article 3 and the Schedule). The funding of obligations provided for by this Order is supplemental to that provided for by the British Railways Board (Funding of Pension Schemes) (No. 1) Order 1974, (No. 2) Order 1975, (No. 3) Order 1976, and (No 4) Order 1977.

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