CHAPTER 58.

An Act to amend the Ecclesiastical Tithe Rentcharge (Rates) Act, 1920, in respect of the relief or abatement to an owner of tithe rentcharge who holds more than one benefice.

[4th August 1922.]

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:—

Relief or abatement in case of several benefices held by one person. 10 & 11 Geo. 5. c. 22.

1. Where the owner of tithe rentcharge attached to a benefice holds more than one benefice (whether united for ecclesiastical purposes or not so united) he shall, in respect of any rate made on or after the first day of October, nineteen hundred and twenty-two, be entitled under subsection (2) of section one of the Ecclesiastical Tithe Rentcharge (Rates) Act, 1920, to such relief or abatement only as he would have been entitled to if the several benefices were one benefice and any tithe rentcharge attached to any of the several benefices were attached to that one benefice and the total income arising from the several benefices arose from one benefice.

Short title.

2. This Act may be cited as the Ecclesiastical Tithe Rentcharges (Rates) Act, 1922, and the Ecclesiastical Tithe Rentcharge (Rates) Act, 1920, and this Act, may be cited together as the Ecclesiastical Tithe Rentcharges (Rates) Acts, 1920 and 1922.

CHAPTER 59.

An Act to provide for the Superannuation of Persons employed by Local Authorities and other Public Bodies. [4th August 1922.]

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:—

Commencement of Act.

1. This Act shall come into operation as respects any local authority as from such date as may be specified in the resolution of that local authority adopting this Act, which date is hereinafter referred to as the appointed day.

Adoption of Act.

2. This Act shall not apply to a local authority unless and until—

(*a*) it shall have been adopted by such local authority by a resolution passed by a majority consisting of not less than two-thirds of the members of such local authority, present and voting at a meeting called for the purpose, of which a month's previous notice shall be given to each member of such local authority, together with an estimate certified by an actuary of the cost to the local authority of adopting this Act; and

(*b*) such resolution shall also have been confirmed by such local authority at a regular meeting held not less than one month after the passing of such resolution; and

(*c*) such resolution shall have been approved by the Minister.

Definitions.

3. In this Act unless the context otherwise requires—

"Service" means whole-time or part-time service in the permanent employment of a local authority after an officer or servant has attained the age of eighteen years, other than service in respect of which the officer or servant is entitled to any superannuation allowance or gratuity under any other enactment, and when used in relation to service after the appointed day means continuous service, and when used in relation to service rendered before the appointed day means service whether continuous or not;

"Contributing service" means service rendered by an officer or servant in respect of which he is a contributor to the superannuation fund;

"Non-contributing service" means service rendered to any local authority before the appointed day by an officer or servant occupying, on the appointed day, a post designated as an established post;

"Local authority" means the council of any county, county borough, municipal borough, metropolitan borough, urban district, or rural district, and any other authority within the meaning of the Local Loans Act, 1875, and includes any combination of local authorities under this Act: 38 & 39 Vict. c. 83.

Provided that no local authority or combination of local authorities shall be entitled to adopt this Act unless there are in the service of such authority or of the authorities so combining, as the case may be, not less than fifty officers or servants occupying posts proposed to be designated as established posts for the purposes of this Act;

"Officer," or "servant," means an officer or servant in the permanent service of the local authority occupying a post designated as an established post for the purposes of this Act by a resolution of the local authority, and whether in receipt of salary or wages;

"Salary" or "wages" means all salary, wages, fees, poundage and other payments (including any war bonus) paid or made to any officer or servant as such for his own use, also the money value of any apartments, rations or other allowances in kind appertaining to his office or employment, but does not include payments for overtime or any allowance paid to him to cover cost of office accommodation or clerks' assistance;

"Superannuation fund" means a fund to be established by the local authority in the manner prescribed and provided in section eighteen of this Act;

"Actuary" means a fellow of the Institute of Actuaries or the Faculty of Actuaries in Scotland;

"Minister" means the Minister of Health.

Subsequent designation of posts; and establishment of separate funds for officers and servants.

4.—(1) Where a local authority who have adopted this Act propose to designate at any subsequent date any further posts as established posts for the purposes of this Act, the date of such subsequent designation shall be deemed to be the appointed day as respects the officers or servants occupying the posts so designated at the date of designation, and the provisions of section two and of paragraph (*e*) of subsection (1) of section eighteen of this Act shall apply accordingly, unless and to the extent to which in any particular case the Minister otherwise directs.

(2) A local authority may, with the consent of the Minister and in accordance with a scheme approved by him, establish separate superannuation funds for officers and servants respectively, and any such scheme may provide for the transfer of officers or servants from one fund to the other and for making such financial adjustments between the funds in the event of such transfer as may be necessary.

Combinations of local authorities.

5.—(1) The following local authorities, namely:—

(*a*) the council of any county and any local authority whose area is wholly or partly situate within the county; and

(*b*) any two or more local authorities whose areas are situate wholly or partly in the same county;

may enter into combination for the purposes of this Act:

Provided that such combination shall not take effect unless a combination scheme has been submitted to and approved by the Minister.

(2) A scheme of combination under this section may provide for making such modifications in this Act as appear to the Minister to be necessary or expedient for the purpose of applying this Act to combinations of local authorities, and may contain such supplemental and consequential provisions as appear necessary or expedient.

(3) Any local authority to which this Act applies may, on such terms and conditions as they think fit and with the approval of the Minister, admit any officers or servants of—

(*a*) any local authority, not being a local authority to which this Act applies, whose area is situate

wholly or partly within the area of such first-mentioned local authority; or

(*b*) any undertakers exercising any of their powers within the area of such first-mentioned local authority under any Act of Parliament or any order having the force of an Act;

to participate in the benefits prescribed by this Act in the like manner as though they were officers and servants of such first-mentioned local authority.

Any authority or undertakers any of whose officers or servants are admitted as aforesaid shall have all such powers as may be necessary for the purpose of giving effect to such terms and conditions as aforesaid, and any payments under those terms or conditions shall be made out of the same funds, rates, or revenues as those out of which the salaries or wages of such officers or servants are paid.

Title to superannuation allowances.

6.—(1) Subject to the provisions of this Act, every officer and servant—

(*a*) who shall have completed ten years' service and shall become incapable of discharging the duties of his office or employment with efficiency by reason of permanent ill-health or infirmity of mind or body; or

(*b*) who shall have attained the age of sixty years and have completed forty years service; or

(*c*) who shall have attained the age of sixty-five years;

shall be entitled on resigning or otherwise ceasing to hold his office or employment, to receive during life a superannuation allowance according to the scale by this Act provided.

(2) Save as is otherwise by this Act provided, every such superannuation allowance shall be paid out of the superannuation fund.

(3) Where an officer or servant has attained the age of sixty-five years, he shall cease to hold his office or employment:

Provided that the local authority may, with the consent of the officer or servant, by resolution extend the period of service or employment of any such officer or servant for one year or any less period and so from time to time as they may deem expedient:

Provided also that no contribution shall be made by the local authority or by any officer or servant to the superannuation fund in respect of any such extended period, and any such extended period shall be disregarded in calculating any superannuation allowance out of the superannuation fund.

Scale of superannuation allowances.

7. Subject to the provisions of section sixteen of this Act and to any other provisions of this Act, the superannuation allowance to be made to an officer or servant under this Act shall be made out of the superannuation fund and shall be on the following scale:—

(*a*) after ten years' service, ten-sixtieths of the average amount of his salary or wages during the five years which immediately precede the day on which the officer or servant ceases to hold his office or employment, or attains the age of sixty-five years, whichever be the earlier;

(*b*) after eleven years' service, eleven-sixtieths of such average amount;

(*c*) and so on up to a maximum after forty or more years' service of forty-sixtieths of such average amount:

Provided that any part of a superannuation allowance which is calculated by reference to a war bonus or other similar allowance shall be calculated and liable to variation in accordance with the rules for the time being in force with respect to superannuation allowances of members of His Majesty's Civil Service:

Provided also that, for the purpose of calculating the superannuation allowance of a full-time officer who has formerly served as a part-time officer, the period of part-time service shall be treated as though it were whole-time service for a proportionately reduced period.

Reckoning service in case of transfer.

8.—(1) Where an officer or servant transfers from the service of one local authority who have adopted this Act, with the consent of that authority, to a designated post in the service of another local authority who have adopted this Act, within six months of leaving the service of the first-mentioned authority, and has been a contributor to the superannuation fund of that authority, the first-mentioned local authority shall pay out of the superannuation fund to the local authority to whom

the officer or servant so transfers, a transfer value ascertained in accordance with rules made for the purpose by the Minister, and in that case the officer or servant shall be entitled to such rights in respect of service before the date of transfer as he would have been entitled to if such service had been with the local authority to whom he has transferred:

Provided that any officer or servant may appeal to the Minister against the refusal of a local authority to give their consent to any such transfer, and the Minister after consulting the local authority may give his consent, which shall be equivalent to the consent of the local authority.

(2) Where an officer or servant transfers from the service of a local authority who have not adopted this Act to the service of a local authority who have adopted this Act, within six months of leaving the service of the first-mentioned authority, he shall, if he pays in lieu of transfer value a sum or sums to be ascertained in accordance with rules to be made by the Minister, be entitled to reckon service with that authority in whole or part in accordance with the amount of the sum so paid and in accordance with such rules.

(3) No service with another local authority shall be reckoned under this section unless the officer or servant transferring has, within six months after the transfer, satisfied the local authority to whom he transfers that he has been in the service of another authority or authorities.

Forfeiture for fraud &c.

9. An officer or servant who is dismissed or resigns or otherwise ceases to hold his office or employment in consequence of any offence of a fraudulent character or of grave misconduct shall forfeit all claim to any superannuation allowance under this Act:

Provided that, in the case of any such officer or servant, the local authority may, if they see fit, return to him out of the superannuation fund, or pay to his wife or family out of that fund, a sum equal to the amount of all his contributions thereto under this Act, or to such part thereof as the local authority shall think fit.

Return of contributions with interest in certain cases.

10. An officer or servant who has not become entitled to a superannuation allowance, and who loses his office or employment by reason of a reduction of staff, the abolition of his office or the termination of a joint appointment, or ceases to hold his office or employment by reason of ill-health, mental infirmity, or bodily injury, or is required to retire on marriage, shall be entitled to receive out of the superannuation fund a sum equal to the amount of all his contributions to such fund, together with compound interest thereon, calculated to the date of his loss of office or employment or resignation, at the rate of three per centum per annum by half-yearly rests.

Return of contributions without interest in certain cases.

11.—(1) In the event of an officer or servant voluntarily resigning his office or employment or being dismissed for incapacity (fraud or misconduct not being alleged) before he has, under the provisions of this Act, become entitled to a superannuation allowance, the local authority shall pay to him out of the superannuation fund a sum equal to the amount of the contributions made by such officer or servant under this Act.

(2) Notwithstanding anything in this or the last preceding section, the local authority shall not make any return of contributions with or without interest in the case of an officer or servant who transfers to the service of another local authority, where on such transfer a transfer value is paid by the first-mentioned local authority.

Return of contributions in case of death.

12.—(1) In the event of an officer or servant dying before becoming entitled to or receiving a superannuation allowance under this Act, the local authority shall pay to his legal personal representative out of the superannuation fund, a sum equal to the amount of the contributions made by such officer or servant under this Act, together with compound interest thereon, calculated to the date of his death, at the rate of three per centum per annum by half-yearly rests.

(2) In any case in which any contributor shall die, after he has become entitled to a superannuation allowance under this Act, and before he shall have received by way of superannuation allowance an amount equal in the aggregate to the amount of his contributions under this Act together with compound interest thereon

calculated to the date of his retirement at the rate of three per centum per annum by half-yearly rests, the local authority shall pay to his legal personal representative out of the superannuation fund the difference between the total amount which such contributor has received by way of superannuation allowance and the aggregate amount of his contributions under this Act, together with compound interest thereon at the rate and calculated as aforesaid up to the date of his retirement.

Notice of certain proposals.

13. At least one month's notice in writing shall be given to every member of the local authority of the meeting at which any proposal to return contributions to an officer or servant who has been dismissed or resigns or to make any payment in accordance with the provisions of section nine of this Act or any proposal to grant a gratuity under this Act will be considered.

Allowance not assignable.

14. Every superannuation allowance or gratuity granted under this Act shall be payable to or in trust for the officer or servant, and shall not be assignable or chargeable with his debts or other liabilities.

Officers and servants to contribute.

15.—(1) Subject to the provisions of this Act, every officer and servant shall, as from the appointed day, contribute to the superannuation fund an amount equal to five per centum of his salary or wages which amount shall be deducted from the salary or wages payable to him by the local authority or person paying the same, and shall be carried to the credit of and form part of the superannuation fund.

(2) Subject to the provisions of subsection (2) of section eight of this Act, nothing in this Act shall require any officer or servant to make any contribution for the purposes of this Act in respect of any period previous to the appointed day.

(3) The provisions of this section shall not apply to any officer or servant who is fifty-five years of age or more on the appointed day or at the date of his appointment, and no such officer or servant shall contribute for the purposes thereof, unless such officer or servant shall be appointed after the appointed day, and his service or any part of his service with any other local authority is, under the provisions of this Act, reckoned as contributing service.

Allowance for previous service.

16.—(1) Non-contributing service shall be reckoned for determining whether an officer or servant is entitled to a superannuation allowance under this Act, and, in calculating the superannuation allowance of any officer or servant who is so entitled, his allowance in respect of his non-contributing service shall be at the rate of one one-hundred-and-twentieth (or in the case of any officer or servant in which the local authority by resolution so decide at such rate as the local authority may determine, not exceeding the rate of one-sixtieth) of the average amount of his salary or wages for the last five years of his service in respect of each year (not exceeding forty years) of his service, and, in reckoning the non-contributing service of any officer or servant, any portion of a year during which such officer or servant has served for more than six months shall be reckoned as a year:

Provided that the amount of any superannuation allowance granted in respect of non-contributing service, so far as it exceeds one one-hundred-and-twentieth of such average amount as aforesaid in respect of each year of service, shall not be paid out of the superannuation fund but shall be chargeable upon the same funds, rates and revenues as those upon which the salary or wages of the officer or servant to whom the allowance is granted are charged.

(2) In the case of an officer or servant of a local authority adopting this Act, no period of service with any other local authority shall be reckoned for the purposes of this Act unless such officer or servant shall, within six months from the appointed day, prove to the reasonable satisfaction of the local authority employing such officer or servant that he has been in the service of any such authority.

(3) Notwithstanding anything to the contrary contained in this Act, an officer or servant who has served successively as a teacher and on an administrative staff shall have the years of service which would be recognised under any Act for the time being relating to the superannuation of school teachers recognised for the purposes of this Act as if such service had been wholly on an administrative staff:

Provided that any such last-mentioned officer or servant shall not be entitled to any greater superannuation allowance from the local authority under this Act

than shall be sufficient, together with any superannuation allowance under any such Act as aforesaid, to make up the amount to which he would have been entitled had his service been wholly on the administrative staff of such local authority, and, for the purpose of this section, account shall be taken in such manner as the Minister shall prescribe of any capital sum paid or payable to the officer or servant under the provisions of any such Act.

(4) In the case of an officer or servant occupying a designated post on the appointed day who is fifty-five years of age or more on that day, service after the appointed day in a designated post shall be deemed to be non-contributing service.

Contributors for less than ten years.

17. If any officer or servant in service on the appointed day—

(*a*) retires after contributing service of less than ten years, owing to his becoming incapable of discharging the duties of his office or employment with efficiency by reason of permanent ill-health or infirmity of mind or body, or

(*b*) retires after having attained the age of sixty years and after a contributing service of less than ten years,

the period of his contributing service shall be reckoned as non-contributing service and shall be added to the period of non-contributing service for the purpose of calculating any superannuation allowance under this Act, and he shall also be entitled to receive from the superannuation fund a sum equal to the aggregate amount of his contributions under this Act, together with compound interest thereon calculated to the date of his retirement at the rate of three per centum per annum by half-yearly rests.

Superannuation fund.

18.—(1) The local authority shall establish and administer a superannuation fund, to which shall be carried and credited in each year—

(*a*) the amounts deducted in such year under the provisions of this Act from the salaries and wages of officers and servants contributing to the superannuation fund;

(*b*) a sum equal in amount to the sum which during such year has been contributed to the superannuation fund by officers or servants (in this Act referred to as "the equivalent contribution") and such further sums, if any, as the local authority may become liable to carry and contribute thereto under the provisions of this Act;

(*c*) all dividends and interest arising in such year out of the investment or use of the superannuation fund or any part thereof;

(*d*) the amount of any transfer values or payments in lieu of transfer values received by the local authority under this Act; and

(*e*) such amount as may be certified by an actuary, as soon as may be after the appointed day, as necessary in order that the superannuation fund may be solvent, to be calculated so as to cast upon the local authority, so far as may be, an equal annual charge for a period not exceeding forty years from the appointed day.

(2) The equivalent contribution and the equal annual charge shall be made out of the same funds, rates, and revenues as those upon which the salaries or wages from which the said amounts so deducted are charged.

Actuarial investigation.

19.—(1) Once at least in every five years the condition of the superannuation fund shall be submitted by the local authority to an actuary, who shall consider the same and shall make an actuarial valuation of the assets and liabilities of the superannuation fund.

(2) Where on any such valuation the actuary certifies that a deficiency or a disposable surplus is disclosed, the local authority shall submit to the Minister a scheme for making good the deficiency by means of payments by the local authority into the superannuation fund, or by means of an increase in the contributions as provided by this Act of the local authority, or (as the case may require) for disposing of the surplus by reducing those contributions.

(3) Where on any such valuation the actuary certifies that in order to maintain an equality of value, as respects persons becoming contributors after the date of the scheme, between the amounts to be contributed

by or in respect of such persons and the amounts of benefit to which such persons will become entitled, it is expedient to increase or decrease the contribution as provided by this Act in respect of such persons, provision may be made by the scheme for such increase or decrease as the case may require, to be applied in equal proportions as between the local authority and such persons.

(4) Where any such scheme is approved by the Minister, this Act shall have effect subject to the provisions of the scheme.

(5) The local authority shall send a copy of the actuary's report to the Minister, and, if within six months of the receipt of such report the local authority fail to submit a scheme under this section, or to submit a scheme of which the Minister approves, the Minister may himself make a scheme, which shall have the same effect as a scheme submitted by the local authority and approved by him.

Use of moneys of superannuation fund.

20. The local authority may use for the purpose of any statutory borrowing power possessed by them any moneys forming part of the superannuation fund and not for the time being required for payments to be made under this Act, subject to the following conditions:—

(*a*) The moneys so used shall be repaid to the superannuation fund within the period, by the methods and out of the fund, rate, or revenue within, by and out of which a loan raised under the statutory borrowing power would be repayable;

(*b*) Interest shall be paid to the superannuation fund on any moneys so used and for the time being not repaid to the fund. Such interest shall be calculated at a rate per centum per annum to be determined by the local authority and equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power, and shall be paid out of the fund, rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power; and

(*c*) The statutory borrowing power for the purpose of which the moneys are so used shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power.

Investment of surplus income.

21. The surplus of the annual income of the superannuation fund above the expenditure thereout shall from time to time be invested in securities in which trustees are authorised to invest, or be used in the manner hereinbefore provided, and the income arising from time to time from such investment or use shall be paid into that fund.

Arbitration.

22. Any question which may arise between the local authority and any officer or servant as to the right to or the amount of a superannuation allowance, or the right to any return of contributions under this Act, or the amount of the contribution of such officer or servant shall, in default of agreement, be referred to and determined by an arbitrator to be agreed upon between the local authority and such officer or servant, or, failing such agreement, appointed by the Minister, and subject as aforesaid the provisions of the Arbitration Act, 1889, shall apply to any such reference.

52 & 53 Vict. c. 49.

Gratuities.

23.—(1) The local authority may, in any case in which an officer or servant is permanently incapacitated by an injury sustained by him in the actual discharge of his duty and without his own default, and specifically attributable to the nature of his duty, grant to such officer or servant, subject to such conditions as they may think fit, such gratuity either by way of a lump sum or periodical payments as they may consider reasonable having regard to all the circumstances of the case, including any statutory right to compensation or any allowance or gratuity under this Act, so however that the sums received by him shall not exceed in the aggregate the amount of any allowance or gratuity to which he would have been entitled if he had already attained the age of sixty-five at the date when he became incapacitated.

(2) The local authority may grant to any officer or servant who is not entitled to a superannuation allowance under this Act, on his retiring from service, such gratuity as the local authority may by resolution

determine, not exceeding a sum equal to twice the amount of the salary or wages of such officer or servant during the year which immediately precedes his retirement.

(3) Any gratuity granted under this section shall not be paid out of the superannuation fund, but shall be chargeable upon the same funds, rates, and revenues as those upon which the salary or wages of the officer or servant to whom the gratuity is granted are charged.

Scheme to be submitted where Act adopted by local authority having a superannuation fund in operation.

24.—(1) If this Act be adopted by a local authority having any superannuation scheme or other scheme for ensuring benefits to an officer or servant on retirement in operation, such local authority shall prepare a scheme for substituting for such superannuation scheme a superannuation fund or scheme under the provisions of this Act, with such modifications and adaptations as may be required, and providing for (among other things) the application, transfer, or disposal of any then existing funds, securities, or policies of insurance or the proceeds thereof, and for adequately protecting the rights and interests of the various parties interested in such first mentioned scheme.

(2) A scheme under this section shall be submitted by the local authority to the Minister for his approval, and this Act shall not become operative in the case of such local authority until such scheme, with or without modification, shall have been approved by the Minister.

Payments and expenses under Act.

25. Any payments or expenses made or incurred by any local authority under the provisions of this Act or in carrying the provisions of this Act into execution, and not otherwise provided for, shall, in the case of any officer or servant in respect of whom any payment or expense is made or incurred, be paid out of the same funds, rates, or revenues as those upon which the salary or wages of such officer or servant is or are charged, and, subject as aforesaid, shall be made and paid out of such fund, rate, or revenue as such local authority shall determine.

Saving in respect of Exchequer grants.

26. Nothing in this Act shall entitle a local authority to any payment out of moneys provided by Parliament towards any contribution made by them to a superannuation fund.

Act not to apply to certain Poor Law authorities, officers, &c. 59 & 60 Vict. c. 50.

27. This Act shall not apply to any guardians or managers of district schools and sick asylums to whom the Poor Law Officers' Superannuation Act, 1896, applies, or to the managers of the Metropolitan Asylums District, or to any officer or servant as respectively defined in that Act in respect of service in the employment of any such guardians or managers.

Provision as to existing clerks of the peace.

28.—(1) This Act shall apply in the case of a clerk of the peace or deputy clerk of the peace, and to any person in the permanent employment of a clerk of the peace for the purposes of any office held by him as such clerk, as though such clerk, deputy clerk, or person were in the service of the county council:

Provided that—

(*a*) any clerk of the peace holding office upon the appointed day shall be entitled by notice in writing to the county council within six months from the appointed day to elect to continue to hold office upon the same terms as he held immediately before the appointed day, and this Act shall not apply to any such clerk of the peace who has given such notice; and

(*b*) the county council may, in designating any person employed as aforesaid by a clerk of the peace, make such conditions with regard to increases of salary after the appointed day and the date of retirement of such persons as they may think fit.

(2) Save as otherwise expressly provided in section six of this Act, nothing in this Act shall affect the tenure of office of any clerk of the peace to whom this Act applies.

Saving for Superannuation (Metropolis) Act. 29 & 30 Vict. c. 31.

29.—(1) Notwithstanding anything contained in this Act, or the adoption of this Act by any local authority, the Superannuation (Metropolis) Act, 1866, shall continue to apply and have effect in the case of officers or servants in the service on the appointed day of any local authority to which the said Act of 1866 applies, and any such officer or servant shall not be deemed to be an officer or servant for the purposes of this Act:

Provided that at any time within six months after the appointed day any such officer or servant may signify in writing to such local authority his desire to become an officer or servant for the purposes of this Act, and thereupon the said Act of 1866 shall cease to apply in the case of such officer or servant as from the appointed day, and such officer or servant shall be deemed to be and to have been an officer or servant for the purposes of this Act.

(2) Where this Act is adopted by a local authority to whom the said Act of 1866 applies, a scheme made under section twenty-four of this Act may provide that any allowances already granted under the said Act may as from the appointed day be charged upon the superannuation fund.

Saving for express provisions affecting officers or servants.

30. Nothing in this Act shall prejudice or affect any express provision contained in any Act of Parliament or any order confirmed by or having the effect of an Act of Parliament relative to any superannuation or retiring allowance or any other allowance of a similar character in the case of any officer or servant referred to in such provision.

Application.

31.—(1) This Act shall not apply to Ireland.

(2) This Act, in its application to Scotland, shall be subject to the following modifications:—

(*a*) "The Secretary for Scotland" shall be substituted for the Minister of Health.

(*b*) "Local authority" means any county council, town council, parish council, education authority, or district board of control, and includes any combination of local authorities under this Act:

Provided that no local authority or combination of local authorities shall be entitled to adopt this Act unless there are in the service of such authority or of the authorities so combining, as the case may be, not less than fifty officers or servants occupying posts proposed to be designated as established posts for the purposes of this Act.

(*c*) Subsection (1) of section five of this Act shall apply to the councils of any two or more adjoining counties in like manner as it applies to the local authorities therein mentioned, and subsection (3) of the said section shall apply to the officers or servants of any local authority within the meaning of the Local Authorities Loans (Scotland) Act, 1891.

54 & 55 Vict. c. 34.

(*d*) This Act shall not apply to any county or town clerk who shall be fifty-five years of age or more at the appointed day, or to the town clerk of any royal burgh holding office at the appointed day, if within six months after such appointed day he gives notice in writing to the council of his desire to continue to hold his office on the same terms as he held it prior to the appointed day.

(*e*) Section twenty-eight of this Act and the reference to the Arbitration Act, 1889, shall not apply.

Short title.

32. This Act may be cited as the Local Government and other Officers' Superannuation Act, 1922.

CHAPTER 60.

An Act to amend the law relating to Chancery Lunatics. [4th August 1922.]

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:—

Substitution of Master and Assistant Master for two Masters in Lunacy.

1.—(1) Instead of two Masters in Lunacy there shall be a single Master in Lunacy who shall be assisted by one of his officers and that officer shall be termed the Assistant Master in Lunacy.

(2) The Assistant Master in Lunacy shall, subject to rules in lunacy and the directions of the Master, be capable of exercising the jurisdiction of the Master as regards administration and management.