STATUTORY INSTRUMENTS

1965 No. 621

LONDON GOVERNMENT

The London Authorities (Superannuation) Order 1965

Made - - - -	25*th March* 1965
Laid before Parliament	31*st March* 1965
Coming into Operation	1*st April* 1965

The Minister of Housing and Local Government, in exercise of his powers under sections 77(3), 84 and 87(2) of the London Government Act 1963(a) and of all other powers enabling him in that behalf, hereby makes the following order:—

Citation and commencement

1. This order may be cited as the London Authorities (Superannuation) Order 1965 and shall come into operation on 1st April 1965.

Interpretation

2.—(1) In this order unless the context otherwise requires—

"the Act" means the London Government Act 1963;

"the Act of 1937" means the Local Government Superannuation Act 1937(b);

"the Acts of 1937 to 1953" means the Local Government Superannuation Acts 1937 to 1953(c);

"the Interim Action Order" means the London Authorities (Interim Action) Order 1964(d);

"the Property Order" means the London Authorities (Property etc.) Order 1964(e);

"the Staff Order" means the London Authorities (Staff) Order 1965(f);

"inner London borough" means the London borough of Camden, Greenwich, Hackney, Hammersmith, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth or Westminster;

"the Common Council" means the Common Council of the City of London;

"the Minister" means the Minister of Housing and Local Government;

"transferor authority" and "successor authority" have the meanings assigned to them by articles 4, 9(3) and 11(2);

"transferred employee" has the meaning assigned by article 3;

and other expressions which have meanings assigned to them by the Act of 1937 have the same respective meanings for the purposes of this order.

(a) 1963 c. 33. (b) 1 Edw. 8 & 1 Geo. 6. c. 68.
(c) 1 Edw. 8 & 1 Geo. 6. c. 68; 2 & 3 Geo. 6. c. 18; 1 & 2 Eliz. 2. c. 25.
(d) S.I. 1964/679 (1964 II, p. 1281). (e) S.I. 1964/1464 (1964 III, p. 3392).
(f) S.I. 1965/96 (1965 I, p. 150).

(2) Any reference in this order to a numbered article or schedule shall, unless the reference is to an article or schedule of a specified order, be construed as a reference to the article or schedule bearing that number in this order.

(3) Except for the purposes of articles 14 and 15, references in this order to the superannuation fund maintained by any authority shall include references to the fund maintained under any combination scheme in which that authority is a constituent member.

(4) In this order, unless the context otherwise requires, references to the provisions of any enactment or instrument shall be construed as references to those provisions as amended or re-enacted by any subsequent enactment or instrument.

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

Definition of transferred employee

3. In this order the expression " transferred employee " means—

(*a*) any person transferred by or under any order made under section 6 of the Act or under section 84 of the Act as originally enacted and not as extended by section 35 of the Administration of Justice Act 1964(b), or by or under any agreement made under section 24(7) of the Act,

(*b*) any person appointed by the Greater London Council, a London borough council or the Common Council to hold any place, situation or employment in circumstances in which article 4(1) of the Interim Action Order applies to him, or appointed by the county council of Surrey or Hertfordshire in similar circumstances,

(*c*) any person who in consequence of the Act or anything done thereunder enters the employment of a London borough council or the Common Council, and who immediately prior to entering their employment was a contributory employee or local act contributor under an admission agreement with any authority abolished by section 3(1)(*b*) of the Act,

(*d*) any contributory employee of the Metropolitan Whitley Joint Council Secretariat or the Middlesex Joint Council for Local Authorities Services who was in their employment immediately prior to 1st April 1965 and who on that date becomes a contributory employee of the Greater London Whitley Joint Council Secretariat or the Greater London Joint Council for Local Authorities Services, as the case may be,

(*e*) any person who at 1st April 1965 remains in the employment of the same body as immediately before that date but who in consequence of the Act or of anything done thereunder becomes entitled on that date to participate in the benefits of a different superannuation fund, and

(*f*) any other person in the employment at 1st April 1965 of the urban district council of Potters Bar, Staines or Sunbury-on-Thames or of the governors or managers of any voluntary school in Middlesex who was in their employment immediately prior to that date;

but does not include—

(i) any employee of the Greater London Council who pursuant to article 2 of the London Authorities (Appropriate Superannuation Funds) Order 1964(c) contributed prior to 1st April 1965 to the superannuation fund maintained by the county council of Essex or,

(a) 52 & 53 Vict. c. 63. (b) 1964 c. 42. (c) S.I. 1964/1126 (1964 II, p. 2512).

(ii) any person who on 1st April 1965 is transferred by article 7(3) of the Staff Order from the employment of the county council of Essex to the employment of the Commissioner of Police of the Metropolis or the Receiver for the Metropolitan Police District.

Transfer of superannuation funds

4.—(1) The superannuation fund vested in any authority mentioned in column (1) of schedule 1 (in this order referred to as a " transferor authority ") shall on 1st April 1965 by virtue of this order be transferred to and vest in the authority mentioned opposite thereto in column (2) of that schedule (in this order referred to in respect of that fund as the " successor authority "); and any such fund shall, subject to the provisions of article 13, be carried by the successor authority to the fund which they or the council of the borough are required to maintain under Part I of the Act of 1937, except that the funds vested in the corporation of the London borough of Bexley and the urban district council of Brentwood shall be held by them on trust for the Bexley and Swanscombe (Superannuation) Joint Committee and the South East Essex Superannuation Joint Committee respectively, and the former Committee shall be a successor authority for the purposes of this Order.

(2) All liabilities attaching to a transferor authority in respect of their superannuation fund shall, subject to the provisions of this order, attach to the successor authority in respect of their superannuation fund.

(3) Where a transferor authority would have become liable, or would have been empowered on the happening of an event, to make a payment out of their superannuation fund or take any other action in respect of any person who has ceased to participate in the benefits of the fund before 1st April 1965, then on the happening of that event such payment or action shall, or as the case may be, may, be made out of the superannuation fund of the successor authority or taken by that authority.

(4) Where a person has ceased to contribute to the superannuation fund of a transferor authority before 1st April 1965 and has not become a contributor to any other superannuation fund maintained under Part I of the Act of 1937 or a local Act, the superannuation fund of the successor authority shall on and after that date be deemed to be the fund to which he was last a contributor.

(5) Any liability of a transferor authority as pension authority within the meaning of the Pensions (Increase) Acts 1920 to 1962 shall become the liability of the successor authority.

(6) Any liability of an authority or person to make payments into the superannuation fund of a transferor authority shall become a liability to make payments into the superannuation fund of the successor authority.

(7) Subject to article 18, all contracts, deeds, bonds, agreements and other instruments subsisting in favour of, or against, and all notices in force which were given by or to a transferor authority or any other authority on their behalf for the purposes of their superannuation fund shall be of full force and effect in favour of, or against, the successor authority.

(8) Any action or proceeding or cause of action or proceeding pending or existing at 1st April 1965 by or against the Middlesex Local Authorities Superannuation Joint Committee or any other transferor authority in respect of their superannuation fund shall not be prejudicially affected by reason of the Act or this order and may be continued, prosecuted and enforced by or against the successor authority.

(9) The accounts of any authority or of their committees or officers relating to any superannuation fund transferred by this article shall be made up to 31st March 1965 and shall be audited in like manner and subject to the like incidents and consequences as if this order had not been made:

Provided that any sum certified by a district auditor at any such audit as due from any person shall be paid to the successor authority.

(10) All legal proceedings pending on 1st April 1965 may be amended in such manner as may be necessary or proper in consequence of this order.

Primary annual contributions

5. Any primary annual contribution payable in pursuance of any local Act scheme into a superannuation fund transferred by this order may be reviewed at the first valuation of the superannuation fund of the successor authority after 1st April 1965, and until any such review the amount of any such primary annual contribution payable in consequence of a valuation of the fund as at any date before 1st April 1965 shall be reduced by the amount which would have been paid into the fund by the council maintaining the fund during the year ending 31st March 1965 had the scheme under which the fund was maintained contained a provision requiring the payment by the council to the fund of sums equivalent to those contributed by the council's employees.

Valuation of transferred funds

6.—(1) A successor authority shall not be required to obtain any actuarial valuation of, or report on, the assets and liabilities of any superannuation fund transferred by this order which was due at 31st March 1965, but, except for the funds mentioned in paragraph (2) of this article, shall arrange for the completion of any such valuation of, and report on, such a fund, whether required under section 22(3) of the Act of 1937 or any local Act or scheme, as at a date prior to 31st March 1965.

(2) The successor authorities in the case of the superannuation funds maintained by the Middlesex Local Authorities Superannuation Joint Committee and the urban district council of Chislehurst and Sidcup shall respectively obtain actuarial valuations of, and reports on, the assets and liabilities of those funds upon the expiration of the period of six years ending 31st March 1965.

(3) The county council of Kent shall obtain an actuarial valuation of, and a report on, the assets and liabilities of their superannuation fund upon the expiration of the period of six years ending 31st March 1965 in lieu of that required by section 22 of the Act of 1937 upon the expiration of the period of 5 years ended 31st March 1964, and the county council of Surrey and the South East Essex Superannuation Joint Committee shall obtain such valuations and reports on the assets and liabilities of their respective funds upon the expiration of the period of two years ending 31st March 1965.

(4) The Greater London Council and the council of every London borough maintaining a superannuation fund under Part I of the Act of 1937 shall obtain an actuarial valuation of, and report on, the assets and liabilities of the fund upon, or at any time before, the expiration of the period ending on 31st March in the year mentioned opposite the authority in column (2) of schedule 2.

(5) Any provision contained in or made under the Act of 1937 with respect to actuarial valuations or reports shall apply with any necessary modifications to the valuations and reports required by this article.

Transfer values

7.—(1) Article 23 shall not have effect for the purposes of section 29 of the Act of 1937 and, except in the cases mentioned in paragraph (2) of this article, transfer values shall be paid under the said section 29, subject to paragraphs (3) and (4) of this article, in respect of every transferred employee, and where the fund relating to the former employment has been transferred by this order, they shall be paid by the successor authority holding the superannuation fund in the benefits of which the employee was entitled to participate on 31st March 1965.

(2) No transfer value shall be paid under section 29 of the Act of 1937—

(*a*) where in consequence of the Act the transferred employee enters the employment of, or otherwise becomes entitled to participate in the benefits of the superannuation fund maintained by, the successor authority mentioned in paragraph (1) of this article, or

(*b*) where an apportionment is made under article 13 in respect of any group of employees including the transferred employee.

(3) Where a transfer value is payable in respect of a person to whom article 4 of the Interim Action Order applies and in consequence of action taken under that article his remuneration is higher or lower than it would have been if that article had not applied to him, no account shall be taken of that increase or decrease in determining his remuneration for the purposes of calculating the transfer value, but the transfer value shall be increased or decreased, as the case may be, by a sum equivalent to the aggregate of the contributions payable, or which would have been payable, by the employing authority and the employee in respect of the amount by which his remuneration was increased or decreased during the period for which article 4 of the Interim Action Order applied to him.

(4) Where a transfer value payable in respect of a transferred employee does not take account of any such payments in respect of the employee as are referred to in article 8(7), the amount of the transfer value shall be increased by the amount of such payments made by the employing authority and the employee prior to the date of transfer.

Liabilities of employing authorities

8.—(1) Any payment to a superannuation fund which falls to be made by any authority mentioned in column (1) of schedule 4 to the Property Order in their capacity as employer in respect of any period before 1st April 1965 shall be made by the authority mentioned opposite such first mentioned authority in column (2) of that schedule.

(2) Any notice given or other thing done for superannuation purposes by or to an authority as employer in respect of any transferred employee prior to his transfer shall have effect as if it had been given or done by or to the authority whose employment the transferred employee enters in consequence of the Act.

(3) Notwithstanding anything in section 5(3) of the Pensions (Increase) Act 1944(**a**) or section 6(2) of the Pensions (Increase) Act 1959(**b**), any liability of an authority under either section as the last employing authority shall not be affected by reason only of any transfer of functions effected by or under the Act, but if the authority is mentioned in column (1) of schedule 4 to the Property Order, such liability shall be transferred to the authority mentioned in column (2) of that schedule opposite such first mentioned authority.

(**a**) 7 & 8 Geo. 6. c. 21. (**b**) 7 & 8 Eliz. 2. c. 50.

(4) Where at any time before 1st April 1965 a pension not payable out of a superannuation fund (other than a pension payable to or in respect of a chairman or deputy chairman of quarter sessions, stipendiary magistrate, coroner or person subject to the Firemen's Pension Scheme) or a gratuity, by way of periodical payments or an annuity—

(*a*) has been granted to any person by any authority mentioned in column (1) of schedule 4 to the Property Order on his ceasing to be employed by them, or

(*b*) has been granted to the widow or any other dependant of a person who died while in the employment of any such authority or after leaving their employment or during the currency of a pension or gratuity granted to him by any authority mentioned in sub-paragraph (*a*) of this paragraph,

and if payment in respect of the pension or gratuity had continued in accordance with the terms of the grant and of any subsequent increase, one or more payments would have been made on or after 1st April 1965 (whether under legal obligation or otherwise), those payments shall be made by the authority mentioned in column (2) of that schedule opposite such first mentioned authority.

(5) Where at any time before 1st April 1965 a part of any pension referred to in the last foregoing paragraph, payable by any authority mentioned in column (1) of schedule 4 to the Property Order, has been surrendered for the benefit of any spouse or other dependant, the payments due in respect of such surrender at any time after 1st April 1965 shall be made by the authority mentioned in column (2) of that schedule opposite such first mentioned authority.

(6) Without prejudice to paragraphs (4) and (5) of this article where, if this order had not been made, any authority mentioned in column (1) of schedule 4 to the Property Order would, for any of the purposes of the Acts of 1937 to 1953, or any regulations or schemes made under those Acts, or of any local Act or local Act scheme, have been the employing authority or former employing authority in relation to a person who died before 1st April 1965 while in the employment of such authority or otherwise ceased to be employed by them before that date, or the widow or other dependant of such a person, the authority mentioned in column (2) of that schedule opposite such first mentioned authority shall be treated as being at that time the employing authority or former employing authority for those purposes in relation to that person, his widow or other dependant.

(7) Where any authority is at 31st March 1965 in course of making contributions under regulation 12 of the Local Government Superannuation (Benefits) Regulations 1954(a) or the corresponding provisions of any local Act or local Act scheme in respect of any transferred employee and that liability is not terminated by the payment of a transfer value, the liability shall attach to the authority whose employment the transferred employee enters in consequence of the Act.

Middlesex Local Authorities Superannuation Joint Committee

9.—(1) The Middlesex Local Authorities Superannuation Joint Committee (in this article referred to as " the Committee ") shall cease to exist, and subject to the provisions of this order, the superannuation fund and any

(a) S.I. 1954/1048 (1954 II, p. 1595).

other property of the Committee shall be transferred to and vest in the corporation of the London borough of Richmond upon Thames and the fund shall, subject to the provisions of article 13, be carried to their superannuation fund.

(2) All liabilities attaching to the Committee (including any liabilities as pension authority within the meaning of the Pensions (Increase) Acts 1920 to 1962) with respect to the payment of superannuation benefits to or in respect of any former employee who was last employed by an authority mentioned in column (1) of schedule 3 or by any dissolved body to whose functions such authority has succeeded, including any liability with respect to the payment of superannuation benefits to a spouse or other dependant which arises after 1st April 1965 by reason of any surrender made before that date, shall attach to the authority mentioned opposite such first mentioned authority in column (2) of that schedule.

(3) All liabilities of the Committee, other than those referred to in paragraph (2) of this article, shall attach to the corporation of the London borough of Richmond upon Thames and the Committee shall be treated for the purposes of this order as a transferor authority and the said corporation as its successor authority, except that for the purposes of any matter mentioned in paragraph (2) of this article the appropriate authority mentioned in column (2) of schedule 3 shall be treated as the successor authority in relation to that matter.

(4) The accounts of the Committee and of its officers shall be made up to 31st March 1965 and shall be audited in like manner and subject to the like incidents and consequences as if this order had not been made; provided that any sum certified by a district auditor at any such audit as due from any person shall be paid to the corporation of the London borough of Richmond upon Thames.

(5) Any sum standing to the credit of the Committee's administration fund shall be apportioned between the constituent authorities of the Committee in accordance with article 10 of the Middlesex Local Authorities Superannuation Scheme 1938, but the sum so apportioned shall be applied in settlement of the liability under paragraph 6 of schedule 4 of the authority mentioned opposite such constituent authority in column (2) of schedule 3.

The Bexley and Swanscombe (Superannuation) Joint Committee

10.—(1) Subject to any further scheme made by the Bexley and Swanscombe (Superannuation) Joint Committee and approved by the Minister under section 2 of the Act of 1937—

(*a*) The Bexley and Swanscombe (Superannuation) Scheme 1938, as amended, shall be further amended as follows:—

(i) for references to the borough of Bexley and the council of the borough there shall be substituted references to the London borough of Bexley and the council of the London borough;

(ii) in article 4 (which relates to the composition of the Committee) for the word "seven" there shall be substituted the word "fourteen";

(iii) for Schedule 1 there shall be substituted the following—

"*Constituent Authorities and Number of Members of the Joint Committee*

1.	2.
Name of Authority	*Number of Members*
Council of the London borough of Bexley ...	10
Urban district council of Swanscombe ...	4"

(iv) in paragraph 5 of Schedule 2 (which provides for a quorum) for the words "three" and "two" there shall be substituted the words "five" and "three" respectively.

(*b*) The members of the Committee appointed by the Bexley borough council shall cease to hold office on 1st April 1965.

(*c*) The first members of the Committee to be appointed by the council of the London borough of Bexley shall come into office on 1st April 1965, or if they are appointed at a later date, on the date of their appointment and, subject to article 6 of the said scheme, shall cease to hold office on 31st May 1966.

(*d*) The two additional members of the Committee to be appointed by the urban district council of Swanscombe shall come into office on 1st April 1965, or if they are appointed at a later date, on the date of their appointment and, subject to article 6 of the said scheme, shall cease to hold office on 31st May 1965.

(2) In relation to this order section 151 of the Local Government Act 1933(a), as applied by section 84(5) of the Act, shall have effect as though the Bexley and Swanscombe (Superannuation) Joint Committee were a public body within the meaning of the said Act of 1933.

South East Essex Superannuation Joint Committee

11.—(1) Subject to any further scheme made by the South East Essex Superannuation Joint Committee and approved by the Minister under section 2 of the Act of 1937—

(*a*) The South East Essex Superannuation Scheme 1938, as amended, shall be further amended as follows:—

(i) in article 4(1) (which relates to the composition of the Committee) for the figure "21" there shall be substituted the figure "24";

(ii) in article 12(1) (which relates to the investment of the fund) for the words "Romford Borough Council" there shall be substituted the words "Brentwood Urban District Council";

(iii) for schedule 1 there shall be substituted the following—

"*Constituent Authorities and Number of Members of the Joint Committee*

1.	2.
Name of Authority	*Number of Members*
Basildon Urban District Council	7
Brentwood Urban District Council	5
Chelmsford Rural District Council	4
Dunmow Rural District Council	1
Epping Urban District Council	1
Epping and Ongar Rural District Council ...	3
Maldon Rural District Council	1
Rochford Rural District Council	2";

(iv) in paragraph 4(2) of schedule 2 (which relates to the calling of meetings of the Committee) for the words "seven members" in both places where they occur there shall be substituted the words "eight members";

(a) 23 & 24 Geo. 5. c. 51.

(v) in paragraph 5 of schedule 2 (which provides for a quorum) for the word "five" there shall be substituted the word "six".

(*b*) The members of the Committee appointed by the Romford Borough Council shall cease to hold office on 1st April 1965.

(*c*) The additional members of the Committee to be appointed in consequence of this order shall come into office on 1st April 1965, or if they are appointed at a later date, on the date of their appointment, and, subject to article 6 of the said scheme, shall cease to hold office on 31st May 1967.

(2) All liabilities attaching to the South East Essex Superannuation Joint Committee (including any liabilities as pension authority within the meaning of the Pensions (Increase) Acts 1920 to 1962) with respect to the payment of superannuation benefits to or in respect of any former employee who was last employed by the Romford Borough Council or the Romford and Hornchurch Joint Sewerage Committee, including any liability with respect to the payment of superannuation benefits to a spouse or other dependant which arises after 1st April 1965 by reason of any surrender made before that date, shall attach to the council of the London borough of Havering, and that authority shall be the successor authority for the purposes of this order in relation to the liabilities transferred by this paragraph.

(3) For the purposes of this order, section 151 of the Local Government Act 1933, as applied by section 84(5) of the Act, shall have effect as though the South East Essex Superannuation Joint Committee were a public body within the meaning of the said Act of 1933.

Liabilities to certain funds

12. Where in pursuance of section 21(3) of the Act of 1937, or the corresponding provision of any local Act or scheme, moneys forming part of a superannuation fund transferred by this order have been used for the purposes of any matter transferred by the Act or the Property Order or by or under the Administration of Justice Act 1964 to an authority other than the authority in whom such fund is vested on 1st April 1965, the provisions of paragraph (*a*) of the said subsection and paragraph (*b*) thereof, in so far as it relates to the debiting of accounts, shall be applicable to such first mentioned authority.

Apportionment of superannuation fund

13.—(1) Where in consequence of the Act ten or more transferred employees to whom this article applies cease to be entitled to participate in the benefits of any one of the superannuation funds maintained by the following authorities namely:

(*a*) the county council of Kent,

(*b*) the county council of Essex,

(*c*) the county council of Surrey,

(*d*) the Middlesex Local Authorities Superannuation Joint Committee,

(*e*) the South East Essex Superannuation Joint Committee, or

(*f*) the urban district council of Chislehurst and Sidcup,

and on 1st April 1965 become entitled to participate in the benefits of any other single superannuation fund, an apportioned part of such first mentioned fund in respect of those transferred employees shall be transferred to the authority maintaining that other fund and shall be carried by them to

that fund, except that any apportioned part of the fund maintained by the Middlesex Local Authorities Superannuation Joint Committee or the urban district council of Chislehurst and Sidcup due to the council of the London borough of Richmond upon Thames or the Bexley and Swanscombe (Superannuation) Joint Committee shall be retained by those authorities in their respective superannuation funds.

(2) The superannuation funds maintained by the Middlesex Local Authorities Superannuation Joint Committee and by the South East Essex Superannuation Joint Committee shall be apportioned in the like manner in respect of the liabilities transferred by articles 9(2) and 11(2).

(3) The provisions contained in schedule 4 shall have effect for the purposes of the apportionment required by paragraphs (1) and (2) of this article.

(4) Where at any time after 1st April 1965 and before the date of transfer as defined in paragraph 3 of schedule 4 there is paid to any authority receiving an apportioned share of a superannuation fund under paragraph (1) of this article any sum by way of transfer value or repayment of contributions in respect of any period of service prior to 1st April 1965 of a transferred employee in respect of whom the apportionment has been made, the sum shall be paid to the authority making the apportionment and shall be deemed to have formed part of the apportioned superannuation fund immediately before 1st April 1965.

(5) This article applies to transferred employees except those whose remuneration has been temporarily increased or decreased in consequence of article 4 of the Interim Action Order.

Appropriate superannuation fund

14.—(1) For the purposes of the Act of 1937, the appropriate superannuation fund in relation to any contributory employee to whom this article applies shall, so long as he continues without a break in the employment of the council of a London borough whose employment he enters in consequence of the Act, be the superannuation fund maintained by the Greater London Council.

(2) Notwithstanding anything in regulation 12(4) of the Local Government Superannuation (Administration) Regulations 1954(a), the Greater London Council may direct the council of a London borough employing any persons to whom this article applies to furnish the information provided for in the said regulation 12(4) with respect to those persons at intervals longer than 12 months.

(3) This article applies to any contributory employee or local Act contributor who on 31st March 1965 is, or is deemed to be, in the employment of the county council of London or Middlesex and—

(*a*) is transferred by the Staff Order on or after 1st April 1965 to the employment of the council of a London borough, or

(*b*) enters the employment of the council of a London borough on 1st April 1965 in circumstances in which article 4(1) of the Interim Action Order applies to him,

and becomes, or continues to be, a contributory employee on entering the employment of the council of the London borough.

(a) S.I. 1954/1192 (1954 II, p. 1570).

15.—(1) Any contributory employee or local Act contributor who on 31st March 1965 is, or is deemed to be, in the employment of the county council of London or Middlesex and who—

(*a*) is transferred by the Staff Order on or after 1st April 1965 to the employment of the Common Council, or

(*b*) enters the employment of the Common Council on 1st April 1965 in circumstances in which article 4(1) of the Interim Action Order applies to him,

notwithstanding anything in the local Act scheme under which the Common Council maintain their superannuation fund, shall, subject to article 21, be entitled to participate in the benefits of the superannuation fund maintained by the Greater London Council, and shall continue to be so entitled as long as he continues without a break in the employment of the Common Council.

(2) In relation to any officer mentioned in paragraph (1) of this article the Common Council shall have and be subject to all the rights and liabilities of an employing authority under the Acts of 1937 to 1953 and the regulations made thereunder.

16. Notwithstanding anything in section 4 of the Act of 1937, but subject to any order made by the Minister under subsection (2) of that section, the appropriate superannuation fund for the purposes of the Act of 1937 in relation to a contributory employee in the employment of any authority or body mentioned in column (1) of schedule 5 shall be the superannuation fund maintained by the authority set opposite thereto in column (2) of that schedule.

Voluntary school employees

17. The appropriate superannuation fund for the purposes of the Act of 1937 in relation to any contributory employee employed by the governors or managers of any voluntary school which as from 1st April 1965 is maintained by any local education authority, other than the Inner London Education Authority, for any area in Greater London or for any area including the urban district of Staines, Sunbury-on-Thames or Potters Bar shall be the superannuation fund maintained by the local education authority whose duty it is to maintain the school at which the contributory employee is employed:

Provided that any such contributory employee who was entitled to participate in the benefits of the fund maintained by the county council of Middlesex shall, so long as he continues without a break in the employment of the body by whom he was employed immediately prior to 1st April 1965, be entitled as from that date to participate in the benefits of the fund maintained by the Greater London Council.

Admission agreements

18. Any admission agreement made, or having effect as if made, under section 15 of the Local Government Superannuation Act 1953(**a**), section 7 of the Superannuation (Miscellaneous Provisions) Act 1948(**b**) or any corresponding local Act provision, whereby the employees of any body are, or can be, admitted to participate in the benefits of the superannuation fund maintained by any authority mentioned in column (1) of schedule 1 shall have effect in all respects as an agreement on the like terms and conditions between such body or, if that body ceases to exist on 1st April 1965, the body succeeding to its functions, and the authority set opposite such first mentioned authority in column (2) of that schedule, and in the case of an agreement made under a local Act provision, as if it had been made under the said section 15 with the approval of the Minister.

(**a**) 1 & 2 Eliz. 2. c. 25. (**b**) 11 & 12 Geo. 6. c. 33.

Persons admitted to the London County Council (Superannuation) Scheme

19.—(1) Any person who on 31st March 1965 is entitled by virtue of any provision to which this article applies to participate in the benefits of the superannuation fund maintained by the London County Council shall, so long as he remains in employment in which under article 21 he is entitled to superannuation rights corresponding with those which he previously enjoyed, be entitled to participate in the benefits of the superannuation fund maintained under Part I of the Act of 1937 by the Greater London Council; and subject to article 21, the Acts of 1937 to 1953 and the regulations made thereunder shall apply to him as if he were a contributory employee of the Greater London Council.

(2) The provisions to which this article applies are:

section 53 of the London County Council (General Powers) Act 1929(**a**);

section 7 of the London County Council (General Powers) Act 1938(**b**);

section 51 of the London County Council (General Powers) Act 1949(**c**); and

section 48 of the London County Council (General Powers) Act 1957(**d**).

Employees of nationalised transport bodies participating in local authority schemes in Greater London

20.—(1) Any person who at 31st March 1965 is employed by a nationalised transport body and is by virtue of schedule 7 to the Transport Act 1962(**e**) entitled to participate in the benefits of the superannuation fund maintained by an authority mentioned in column (1) of the Table hereunder shall, so long as he remains in the employment of any nationalised transport body and subject to any order made by the Minister of Transport under section 74 of the Transport Act 1962, be entitled to participate in the benefits of the superannuation fund maintained by the authority set opposite such first mentioned authority in column (2) of the Table; and, subject to article 21 and to the provisions of section 80 of the London Passenger Transport Act 1933(**f**), section 120 of the London County Council (General Powers) Act 1937(**g**) and of any scheme made under section 36(4) of the Act of 1937 or section 3(3) of the Local Government Superannuation Act 1939(**h**), the Acts of 1937 to 1953 and the regulations made thereunder shall apply to him as if he were a contributory employee and the nationalised transport body for the time being employing him were a local authority:

Provided that nothing in this paragraph shall impose upon a nationalised transport body any liability to make any payments to a local authority under the Pensions (Increase) Acts 1920 to 1962 or the regulations made thereunder.

TABLE

(1)	(2)
London County Council	Greater London Council
The corporation of the existing borough of Croydon	The corporation of the London borough of Croydon
The corporation of the borough of East Ham or West Ham.	The corporation of the London borough of Newham
The corporation of the borough of Erith	The Bexley and Swanscombe (Superannuation) Joint Committee
The corporation of the borough of Ilford	The corporation of the London borough of Redbridge
The corporation of the borough of Walthamstow	The corporation of the London borough of Waltham Forest

(**a**) 19 & 20 Geo. 5. c. lxxxvii. (**b**) 1 & 2 Geo. 6. c. xxxviii. (**c**) 12 & 13 Geo. 6. c. lv.
(**d**) 6 & 7 Eliz. 2. c. xxi. (**e**) 10 & 11 Eliz. 2. c. 46. (**f**) 23 & 24 Geo. 5. c. 14.
(**g**) 1 Edw. 8 & 1 Geo. 6. c. xci. (**h**) 2 & 3 Geo. 6. c. 18.

(2) In this order the expression " nationalised transport body " means any of the Boards and the Transport Holding Company which were established by the Transport Act 1962 and any subsidiary of any of those Boards or the Holding Company.

Protection of rights and obligations

21.—(1) In any case where, immediately prior to the date on which under the Act a transferred employee was first transferred or became entitled to participate in the benefits of a different superannuation fund, the Acts of 1937 to 1953 and the regulations made thereunder applied to him, either as modified or extended by the provisions of any local Act or scheme or together with any such provisions, the Acts of 1937 to 1953 and the regulations made thereunder shall have effect in relation to him for the appropriate period as if they—

(*a*) required him to make contributions at the like rate as he would have been liable to make and conferred on him rights corresponding with those which he would have enjoyed if he had remained in the employment of the authority from which he was transferred or, as the case may be, had continued to be entitled to participate in the benefits of his former superannuation fund, and

(*b*) conferred on any authority to which he is transferred under the Act any discretionary power to pay or to increase pensions, lump sums or gratuities to or in respect of him which was exercisable by the authority from which he was first transferred, or, as the case may be, provided for the continuance of any such discretionary power which would have been exercisable had the transferred employee not become entitled to participate in the benefits of a different superannuation fund.

(2) In any case where, immediately prior to the date on which under the Act a transferred employee was first transferred or became entitled to participate in the benefits of a different superannuation fund, he was subject to the provisions of any local Act scheme, then—

(*a*) if he is transferred to the employment of the Common Council otherwise than from the employment of the county council of London, the local Act scheme of the Common Council, or

(*b*) in any other case the Acts of 1937 to 1953 and regulations made thereunder,

shall have effect in relation to him for the appropriate period as if they—

(i) required him to make contributions at the like rate as he would have been liable to make and conferred on him rights corresponding with those which he would have enjoyed if he had remained in the employment of the authority from which he was transferred or, as the case may be, had continued to be entitled to participate in the benefits of his former superannuation fund, and

(ii) conferred on any authority to which he is transferred under the Act any discretionary power to pay or to increase pensions, lump sums or gratuities to or in respect of him which was exercisable by the authority from which he was first transferred, or, as the case may be, provided for the continuance of any such discretionary power which would have been exercisable had the transferred employee not become entitled to participate in the benefits of a different superannuation fund,

in lieu of the rights, obligations and powers conferred or imposed by the said local Act scheme or the said Acts and regulations, as the case may be:

Provided that—

(i) nothing in this paragraph shall preclude the application to any transferred employee of any provision of the said Acts and regulations which is expressed to apply to both contributory employees and local Act contributors; and

(ii) in relation to any person mentioned in sub-paragraph (*a*) of this paragraph, section 29 of the City of London (Various Powers) Act 1931(**a**), and in relation to any other person, section 35 of the Act of 1937, shall apply to any question concerning the rights and liabilities of any person under this order; and

(iii) where the local Act scheme to which a transferred employee was subject contained no provisions for the reckoning of non-contributing service similar to the provisions in that behalf of the Acts of 1937 to 1953 and the regulations made thereunder, nothing in this paragraph shall preclude the application of the latter provisions to the transferred employee in relation to any service which was not reckonable for the purposes of the local Act scheme; and

(iv) regulation 12 of the Local Government Superannuation (Benefits) Regulations 1954 shall apply in the case of any person who was subject to the local Act scheme of the metropolitan borough of St. Marylebone.

(3) Paragraphs (1) and (2) of this article shall apply in relation to any transfer under the Act of a transferred employee subsequent to the first such transfer as if such subsequent transfer had been the first.

(4) Where a transferred employee to whom paragraph (2) of this article applies ceases to be employed by an authority to which he was transferred under the Act, or the body by which he was employed when he became entitled to participate in the benefits of a different superannuation fund, and subsequently enters a new employment in circumstances in which he is not a transferred employee and is entitled to reckon for superannuation purposes service in such previous employment, that service shall be reckonable in the like manner, and the employee shall in other respects have the like rights and be subject to the like obligations, as if he had moved to the new employment from the employment which he held immediately before he was first transferred under the Act or became entitled to participate in the benefits of a different superannuation fund, as the case may be.

(5) Any transferred employee who was paying superannuation contributions immediately prior to his transfer at a rate appropriate to a servant shall continue to contribute at the like rate so long as he is employed without a break of twelve months or more by the authority to whose employment he was transferred on duties reasonably comparable to those in which he was engaged immediately prior to his transfer.

(6) In this article the appropriate period during which any provision mentioned in paragraph (1) or (2) of this article is to continue to apply to a transferred employee means the period of application specified in the provision of the local Act or scheme or, if no period is so specified, the period during which the employee continues without a break of twelve months or more in the employment of an authority to which he was transferred under the Act or the body by which he was employed when he became entitled to participate in the benefits of a different superannuation fund.

(**a**) 21 Geo. 5. c. xiv.

Payment of contributions where remuneration is reduced

22.—(1) Notwithstanding anything in article 21, section 6(5) of the Act of 1937 (which relates to the payment of superannuation contributions on the reduction or discontinuance of remuneration) shall apply to any transferred employee or other employee of a local authority who on or after 1st April 1965 suffers a reduction of remuneration which is attributable to anything done by or under the Act or any instrument (including any agreement made under section 24(7)) made under the Act:

Provided that the said section 6(5) shall so apply only so long as the employee continues without a break of 12 months or more in the employment in which he suffered the reduction of remuneration, whether in the same post or in some other post.

(2) Where under section 6(5) of the Act of 1937 as applied by the last foregoing paragraph an employee pays contributions to a superannuation fund as if his remuneration had not been reduced, he shall be deemed, for the purposes of regulation 3(1) of the Local Government Superannuation (Benefits) Regulations 1954, proviso (*b*) to section 8(5) of the Act of 1937, or any corresponding provision applicable to him under article 21, to have received the remuneration which he would have received but for the reduction.

(3) In calculating for the purposes of paragraph (1) or (2) of this article whether, or the amount by which, an employee's remuneration has been reduced, no account shall be taken of any increase or decrease in the amount of the employee's remuneration which is attributable to any sum paid or reduction made under article 4 of the Interim Action Order or of any increase in such amount which is attributable to any temporary allowance granted in consequence of the Act and otherwise than in the ordinary course of his employment.

Continuity of employment

23. Subject to the following provisions of this order, any provisions contained in or made under—

(*a*) the Acts of 1937 to 1953 (including any such provision as modified by article 21),

(*b*) the Superannuation (Miscellaneous Provisions) Act 1948,

(*c*) the National Insurance Act 1959(**a**), and

(*d*) any local Act under which the Common Council maintain a superannuation fund

shall, in relation to any transferred employee to whom such provision applies, being such a transferred employee as is mentioned in sub-paragraph (*a*), (*b*), (*c*) or (*d*) of paragraph (1) of article 3, have effect as if his employments immediately before and immediately after the date of his tranfer were one continuous employment.

Decision of questions, notifications, etc.

24.—(1) Article 23 shall not affect the operation of the Local Government Superannuation (Administration) Regulations 1954 in relation to—

(*a*) any transferred employee who was not a contributory employee or local Act contributor immediately prior to the date of his transfer but who becomes a contributory employee or local Act contributor on that date; or

(*b*) any transferred employee if there occurs in relation to his employment any such other change as is mentioned in regulation 6(2)(*b*) of the said Regulations of 1954.

(**a**) 7 & 8 Eliz. 2. c. 47.

(2) The authority or body by which a transferred employee is first employed after his transfer shall as soon as may be notify him in writing of the effect of article 8(2) unless a notification is required by reason of circumstances mentioned in paragraph (1) of this article.

(3) In the case of any transferred employee who was a contributory employee or local Act contributor immediately prior to the date on which he was transferred or became entitled to participate in the benefits of a different superannuation fund, the authority or body by which he is first employed after that date shall as soon as may be consider and decide whether he is affected by paragraph (1) or (2) of article 21 and, if so, shall inform him of his rights and liabilities under either paragraph; and regulations 7, 11(2), 13(2), 20, 21 and 22 of the said Regulations of 1954 shall apply in relation to any matter so decided.

Preservation of contributory status

25.—(1) Every transferred employee who was a contributory employee or local Act contributor immediately prior to the date on which he was transferred or became entitled to participate in the benefits of a different superannuation fund and who does not otherwise on that date become or continue to be a contributory employee or local Act contributor shall, subject to the provisions of article 21:—

(*a*) if he is transferred to the employment of the Common Council, otherwise than from the employment of the county council of London or Middlesex, become or continue to be a local Act contributor; or

(*b*) in any other case, become or continue to be a contributory employee.

(2) Any transferred employee who, if the Act had not been passed, would have become a contributory employee or local Act contributor on the completion of any qualifying period of employment and compliance with any other conditions and who does not otherwise become a contributory employee or local Act contributor at any earlier date, shall, on completing the qualifying period of employment without any break, if he is otherwise qualified for that purpose and satisfies any other such conditions, become a contributory employee or, if he transferred to the employment of the Common Council otherwise than from the employment of the county council of London or Middlesex, a local Act contributor.

Discretionary powers

26. Where immediately before a transferred employee was first transferred under the Act it was the prevailing practice of the authority employing him, in relation to employees of that description, to exercise beneficially (that is to say, to secure the making of payments or increased payments) any discretionary power referred to in article 21 or under any provision mentioned in article 23, it shall be the duty of any authority to which he is transferred under the Act, and in whose employment he has continued without a break of twelve months or more, to exercise in relation to him that power (or any corresponding power under statutory provisions relating to pensions for the time being in force) in a way which is no less beneficial than that practice; and section 35 of the Act of 1937 shall apply to any question arising under this article.

Rights of former employees

27.—(1) The successor authority in relation to any superannuation fund transferred by this order shall send to any person entitled to a benefit payable out of the fund a notification in writing of the name and address of the authority which is liable under this order to make the payment.

(2) If any person to whom article 42 of the London County Council (Superannuation) Scheme 1958 applied immediately before 1st April 1965 thereafter enters the employment of the Greater London Council, the Common Council or the council of an inner London borough in the circumstances mentioned in paragraph (8) or (9) of that article, he shall be entitled to the like rights as he would have had under those paragraphs if he had re-entered the employment of the London County Council.

(3) If any contributor to the London County Council's superannuation fund who had retired on grounds of ill-health before 1st April 1965 thereafter enters the employment of the Greater London Council, the Common Council or the council of an inner London borough, he shall be entitled to the like rights as he would have enjoyed under article 45 of the London County Council (Superannuation) Scheme 1958 if he had re-entered the employment of the London County Council.

(4) Except as provided in paragraphs (2) and (3) of this article, any person who immediately prior to 1st April 1965 was in receipt of benefits payable out of the superannuation fund of any authority ceasing to exist on that day, shall, in the event of his re-employment by any local authority or other body, enjoy the like rights and be subject to the like obligations as if the Act had not been passed.

(5) Any authority which becomes liable under this order to continue the payment of a pension to any person shall have the like power to make payments to the personal representatives, or to the spouse or other dependant of the person as was exercisable by the authority by which the pension was payable immediately prior to 1st April 1965; and where the power is discretionary, article 26 shall apply in relation to its exercise.

(6) Where the rights and liabilities of a former employee of any authority or of his widow, dependants or legal personal representatives are affected by this order, section 35 of the Act of 1937 shall apply to any question concerning those rights and liabilities.

Local statutory provisions

28.—(1) The local statutory provisions mentioned in column (1) of schedule 6 shall apply to the authorities mentioned opposite thereto in column (2) of that schedule with any necessary modifications, including the substitution for references to any council, to any employee or former employee of a council, or to any superannuation fund maintained by a council, of references to the authority so mentioned in column (2), to an employee or former employee of such an authority, or to the superannuation fund maintained by such an authority:

Provided that any such provisions which relate to the calculation of remuneration for superannuation purposes shall not apply in relation to any transferred employee except as provided in article 21.

(2) The local statutory provisions mentioned in schedule 7 to the extent to which they are applied by paragraph (1) of this article shall have effect subject to the provisions of that schedule.

(3) Section 17(2) of the London County Council (General Powers) Act 1932(**a**) shall apply to any agreement with the Trustees of the Borough Market Southwark having effect under article 18 and to any agreement which the said Trustees may enter into under section 15 of the Local Government Superannuation Act 1953.

(a) 22 & 23 Geo. 5. c. lxx.

(4) Any power to increase pensions conferred by this article on any authority mentioned in column (2) of the Table in article 20 shall be exercised by that authority in a way no less beneficial to persons in receipt of pensions than that in which the power was exercised immediately before 1st April 1965:

Provided that nothing in this paragraph shall impose upon a nationalised transport body, as defined in article 20(2), any liability to make any payments to a local authority under the Pensions (Increase) Acts 1920 to 1962 or the regulations made thereunder.

(5) Subject to article 25, in the case of persons employed by the Greater London Council, the definition of "employee" in section 40 of the Act of 1937 shall not include a person whose employment is of a seasonal nature.

(6) In relation to any person, other than a person transferred under the Act or the Administration of Justice Act 1964, who is entitled to participate in the benefits of the superannuation fund maintained by the Greater London Council or the council of an inner London borough, the definition of remuneration in section 40 of the Act of 1937 shall have effect subject to the following proviso—

"Provided that in relation to a person who is ordinarily employed for the whole of his time in an employment in which he is a contributory employee and is also employed by the council as an instructor in an evening institute, or in any other part-time or casual employment, no account shall be taken of any salary, wages, fees or other payment in respect of that part-time or casual employment.".

Policy schemes

29. Any agreement or trust deed made for the purposes of any scheme of superannuation by policies of insurance by an authority employing a transferred employee and having effect immediately prior to his transfer shall, so far as it relates to that employee, have effect thereafter as if it had been made with the authority whose employment the transferred employee enters in consequence of the Act; and any policies of insurance which are held for the purposes mentioned in this article for the benefit of any transferred employee by such first mentioned authority shall vest in such second mentioned authority.

Police civilian staff

30. Part II of the Superannuation (Transfers between Metropolitan Police Staffs and Local Government) Rules 1959(a) shall apply in relation to any contributory employee who, on 1st April 1965, is transferred by article 7(3) of the Staff Order from the employment of the county council of Essex to the employment of the Commissioner of Police of the Metropolis or the Receiver for the Metropolitan Police District, subject to the following modifications, that is to say:—

(*a*) in rule 4(1), sub-paragraph (*c*) shall be omitted;

(*b*) in rule 8(1), for the words from "within three months" to "apply to him" there shall be substituted the words "before 1st July 1965";

(*c*) in rule 9, for the words "when giving notice to the appropriate authority in pursuance of sub-paragraph (*c*) of paragraph (1) of rule 4 of these rules" in both places where those words occur there shall be substituted the words "before 1st July 1965".

(a) S.I. 1959/1243 (1959 II, p. 2041).

Exclusion of Property Order

31. Nothing in the Property Order shall apply in relation to the making of payments to any superannuation fund or to any other matter dealt with in this order.

Article 4

SCHEDULE 1

TRANSFER OF SUPERANNUATION FUNDS

(1) *Transferor Authority*	(2) *Successor Authority*
London County Council ... ... } Middlesex County Council ... }	Greater London Council
The council of the metropolitan borough of Westminster, Paddington or St. Marylebone	The corporation of the new City of Westminster
The council of the metropolitan borough of Hampstead, Holborn or St. Pancras	The corporation of the London borough of Camden
The council of the metropolitan borough of Finsbury or Islington	The corporation of the London borough of Islington
The council of the metropolitan borough of Hackney, Shoreditch or Stoke Newington	The corporation of the London borough of Hackney
The council of the metropolitan borough of Bethnal Green, Poplar or Stepney	The corporation of the London borough of Tower Hamlets
The council of the metropolitan borough of Greenwich or Woolwich	The corporation of the London borough of Greenwich
The council of the metropolitan borough of Deptford or Lewisham	The corporation of the London borough of Lewisham
The council of the metropolitan borough of Bermondsey, Camberwell or Southwark	The corporation of the London borough of Southwark
The council of the metropolitan borough of Lambeth	The corporation of the London borough of Lambeth
The council of the metropolitan borough of Battersea or Wandsworth	The corporation of the London borough of Wandsworth
The council of the metropolitan borough of Fulham or Hammersmith	The corporation of the London borough of Hammersmith
The council of the metropolitan borough of Chelsea or Kensington	The corporation of the Royal borough of Kensington and Chelsea
The corporation of the borough of Chingford, Leyton or Walthamstow	The corporation of the London borough of Waltham Forest
The corporation of the borough of Ilford	The corporation of the London borough of Redbridge
The corporation of the borough of Romford	The council of the urban district of Brentwood.
The council of the urban district of Hornchurch	The corporation of the London borough of Havering

SCHEDULE 1 (*continued*)

(1) *Transferor Authority*	(2) *Successor Authority*
The corporation of the borough of Barking or Dagenham	The corporation of the London borough of Barking
The corporation of the borough of East Ham or West Ham	The corporation of the London borough of Newham
The corporation of the borough of Bexley or Erith The council of the urban district of Crayford or Chislehurst and Sidcup	The corporation of the London borough of Bexley
The corporation of the borough of Beckenham or Bromley The council of the urban district of Orpington or Penge	The corporation of the London borough of Bromley
The corporation of the existing borough of Croydon The council of the urban district of Coulsdon and Purley	The corporation of the London borough of Croydon
The corporation of the borough of Beddington and Wallington or Sutton and Cheam The council of the urban district of Carshalton	The corporation of the London borough of Sutton
The corporation of the borough of Mitcham or Wimbledon The council of the urban district of Merton and Morden	The corporation of the London borough of Merton
The corporation of the existing borough of Kingston-upon-Thames, Malden and Coombe or Surbiton	The corporation of the Royal borough of Kingston upon Thames
The corporation of the borough of Barnes or Richmond	The corporation of the London borough of Richmond upon Thames
The corporation of the borough of Heston and Isleworth	The corporation of the London borough of Hounslow
The council of the urban district of Ruislip-Northwood	The corporation of the London borough of Hillingdon
The corporation of the borough of Acton, Ealing or Southall	The corporation of the London borough of Ealing
The corporation of the borough of Wembley or Willesden	The corporation of the London borough of Brent
The corporation of the existing borough of Harrow	The corporation of the London borough of Harrow
The corporation of the borough of Finchley or Hendon The council of the urban district of Barnet or East Barnet	The corporation of the London borough of Barnet
The corporation of the borough of Hornsey, Tottenham or Wood Green	The corporation of the London borough of Haringey
The corporation of the borough of Edmonton, Enfield or Southgate	The corporation of the London borough of Enfield

Article 6

SCHEDULE 2

SUPERANNUATION FUND—VALUATION DATES

(1)	(2)
Greater London Council	1968
The council of the London borough of Barking ...	1969
The council of the London borough of Barnet ...	1967
The council of the London borough of Brent ...	1967
The council of the London borough of Bromley ...	1969
The council of the London borough of Camden ...	1967
The council of the London borough of Croydon ...	1967
The council of the London borough of Ealing ...	1969
The council of the London borough of Enfield ...	1967
The council of the London borough of Greenwich	1968
The council of the London borough of Hackney ...	1968
The council of the London borough of Hammersmith.	1969
The council of the London borough of Haringey ...	1967
The council of the London borough of Harrow ...	1968
The council of the London borough of Havering	1967
The council of the London borough of Hillingdon	1969
The council of the London borough of Hounslow	1969
The council of the London borough of Islington ...	1968
The council of the Royal borough of Kensington and Chelsea.	1967
The council of the Royal borough of Kingston upon Thames.	1967
The council of the London borough of Lambeth ...	1966
The council of the London borough of Lewisham	1967
The council of the London borough of Merton ...	1967
The council of the London borough of Newham ...	1969
The council of the London borough of Redbridge	1969
The council of the London borough of Richmond upon Thames.	1969
The council of the London borough of Southwark	1968
The council of the London borough of Sutton ...	1967
The council of the London borough of Tower Hamlets.	1966
The council of the London borough of Waltham Forest.	1967
The council of the London borough of Wandsworth	1969
The council of the new City of Westminster ...	1969

SCHEDULE 3

Article 9

MIDDLESEX LOCAL AUTHORITIES SUPERANNUATION JOINT COMMITTEE

Transfer of liability for existing pensioners

(1) Constituent authority (or former constituent authority)	(2) County or London borough
The council of the urban district of Potters Bar	The county council of Hertfordshire
The council of the urban district of Staines or Sunbury-on-Thames	The county council of Surrey
The council of the urban district of Friern Barnet	The corporation of the London borough of Barnet
The corporation of the borough of Uxbridge	The corporation of the London borough of Hillingdon
The council of the urban district of Hayes and Harlington or Yiewsley and West Drayton	
The corporation of the borough of Brentford and Chiswick	The corporation of the London borough of Hounslow
The council of the urban district of Feltham	
Gunnersbury Park Joint Committee	
The corporation of the borough of Twickenham	The corporation of the London borough of Richmond upon Thames
The South West Middlesex Crematorium Board	
The Breakspear Crematorium Joint Committee	
The Central Middlesex Assessment Committee	
The North Middlesex Assessment Committee	
The Finchley, Hornsey, Wood Green and Friern Barnet Joint Hospital Committee	
The South Middlesex and Richmond Joint Hospital Board	
The Uxbridge Joint Hospital Board	
Clare Hall	
South Middlesex Valuation Panel	

SCHEDULE 4

Article 13

APPORTIONMENT OF SUPERANNUATION FUNDS

In this schedule an authority maintaining a superannuation fund which is to be apportioned, or an authority maintaining a fund comprising such a fund, is referred to as "the paying authority" and an authority receiving or retaining an apportioned part of the fund is referred to as "the receiving authority", and references to "transferred employees" shall be construed as references to transferred employees in respect of whom an apportionment is to be made and, in

the case of the superannuation funds of the Middlesex Local Authorities Superannuation Joint Committee or the South East Essex Superannuation Joint Committee, shall include persons in respect of whom liabilities are transferred by article 9(2) or 11(2). Where the paying authority and the receiving authority are the same authority, references to the transfer of assets or the payment of any amount shall be construed as references to the retention of such assets or amount.

1. In his report on the superannuation fund to be apportioned (in this schedule referred to as "the fund") as at 31st March 1965, the actuary shall certify the fraction of that fund (in this schedule referred to as "the apportionment fraction") which it is appropriate to transfer to each of the receiving authorities in consequence of the transfer to those authorities of superannuation liabilities in respect of transferred employees.

The apportionment fraction shall be a fraction of which:—

(*a*) the denominator is an amount representing the total of the liabilities shown in the valuation balance sheet appended to the report, less the value of future contributions (including employers' equivalent contributions) shown in the said balance sheet; and

(*b*) the numerator is an amount representing the part of the said liabilities determined by the actuary to relate to the transferred employees, less such part of the value of the said future contributions as the actuary estimates would have been received from or in respect of the transferred employees.

The paying authority shall furnish the actuary with such information as is necessary to enable him to calculate the apportionment fraction and shall keep such accounts as will enable the transferable assets of the fund to be distinguished.

Copies of the report containing the certificate referred to in this paragraph shall be sent to the receiving authorities.

2. The transferable assets of the fund shall be:—

(*a*) any cash, securities, loans or other assets held in the fund at the date of transfer which represent in any form, or have accrued from, any cash, security, loan or other assets held in the fund at 31st March 1965;

(*b*) any cash, securities, loans or other assets held in the fund at the date of transfer resulting from any payments by way of transfer value or returned contributions received by the receiving authority in respect of any transferred employee and remitted to the paying authority pursuant to article 13(4);

(*c*) any cash, securities, loans or other assets held in the fund at the date of transfer resulting from sums credited to the fund since 31st March 1965 in respect of the annual charges and liabilities to be made good by authorities or their successors interested in the fund shown in the valuation balance sheet appended to the actuary's report, adjusted in accordance with any scheme made under section 22(6) of the Act of 1937 in consequence of the valuation;

less any sums due from the fund to sundry creditors at 31st March 1965 and expenditure after that date in respect of any asset mentioned in this paragraph.

3. Not later than six months from the date of the submission by the actuary of his valuation and report, or within such longer period as the paying and receiving authorities may agree, the paying authority shall transfer to the receiving authority the apportionment fraction of the transferable assets of the fund and the date on which the transfer is effected is referred to in this schedule as the date of transfer.

The transferable assets of the fund which consist of Stock Exchange securities shall be valued by reference to their market value at the date of transfer, and the remainder of the transferable assets of the fund shall be valued by the actuary

as at that date. The apportionment fraction of every transferable asset of the fund, or an equivalent amount in the form of cash or any other transferable asset as so valued, shall be transferred by the paying authority to the receiving authority.

4. The apportionment fraction of a sum certified by the actuary to be equivalent in value to the aggregate of the future payments of annual charges and liabilities referred to in sub-paragraph (*c*) of paragraph 2 of this schedule shall be paid out of the paying authority's fund to the receiving authority by annual payments of such amount including interest as the actuary shall determine, and over a period determined by the actuary to be the mean residuary period for which such future payments are payable.

5. Not later than the date of transfer the paying authority shall furnish to the receiving authority a statement setting out the transferable assets of the fund described in paragraph 2 of this schedule and showing the apportionment fraction of the assets transferred in accordance with paragraph 3 of this schedule. The statement shall also contain particulars of the sum referred to in paragraph 4 of this schedule and of the annual payments to be made thereunder. Within three months after receiving the statement the receiving authority may, by notice in writing addressed to the paying authority, object to the inclusion of or to the failure to include any matter in the statement or to the amount of any sum or annual payment set out therein as representing the apportionment fraction transferred or to be transferred in any particular case. Any unresolved objection shall be referred to the arbitration of a single arbitrator agreed upon by the paying authority and the receiving authority or, in default of agreement, appointed by the Minister, and such adjustment shall be made in the assets transferred or in the payments to be made under this schedule by the paying authority as is necessary to give effect to the award of the arbitrator.

6. Each receiving authority shall pay to the paying authority an amount representing the apportionment fraction of the expenses incurred by the paying authority in carrying out the apportionment of the fund, including any expenses incurred by that authority, otherwise than from the fund, in relation to the transferable assets between 1st April 1965 and the date of transfer.

SCHEDULE 5 Article 16

AUTHORITIES PARTICIPATING IN SUPERANNUATION FUNDS MAINTAINED BY OTHER AUTHORITIES IN AREAS AFFECTED BY THE LONDON GOVERNMENT ACT 1963

(1)	(2)
The council of the urban district of Potters Bar.	The county council of Hertfordshire.
The council of the urban district of Staines or Sunbury-on-Thames.	The county council of Surrey.
South West Middlesex Crematorium Board. Breakspear Crematorium Joint Committee.	The council of the London borough of Richmond upon Thames.
Local Valuation Panels	
London Central ... ... London North Eastern Area ...	The council of the London borough of Camden.
London North Western Area ...	The council of the Royal borough of Kensington and Chelsea.
London South Eastern Area ...	The council of the London borough of Lewisham.
London South Western Area ...	The council of the London borough of Wandsworth.

SCHEDULE 5 (*continued*)

(1)	(2)
Local Valuation Panels (continued)	
East Ham and West Ham ...	The council of the London borough of Newham.
Croydon	The council of the London borough of Croydon.
Middlesex Central and North ...	The council of the London borough of Richmond upon Thames.
Middlesex South	
Redbridge and Barking Joint Sewerage Committee	The council of the London borough of Barking.
West Kent Main Sewerage Board ...	The council of the London borough of Bromley.
Inner London Library Committee ...	The council of the London borough of Camden.
Inner London Organisation and Methods Committee	
Mortlake Crematorium Board ...	The council of the London borough of Hammersmith.
London Boroughs Joint Computer Committee	The council of the London borough of Greenwich.
Woolwich, Greenwich and North West Kent Joint Crematorium Committee	
Cranford Park Joint Committee ...	The council of the London borough of Hounslow.
Upper Norwood Joint Library Committee	The council of the London borough of Lambeth.
Wimbledon and Putney Common Conservators	The council of the London borough of Merton.
Bandon Hill Cemetery Joint Committee	The council of the London borough of Sutton.
North-East Surrey Crematorium Board	The council of the London borough of Wandsworth.

Article 28

SCHEDULE 6

APPLICATION OF LOCAL STATUTORY PROVISIONS

(1)	(2)
Local Statutory Provisions	*Authority*
Article 65(4), (5) and (6) of the London County Council (Superannuation) Scheme 1958.	Councils of the inner London boroughs and the Greater London Council.
London County Council (General Powers) Act 1939(a), section 78.	
Essex County Council Act 1958(b), section 19.	Councils of the London boroughs of Barking, Havering, Newham, Redbridge and Waltham Forest.
East Ham Corporation Act 1957(c), section 124.	
Kent County Council Act 1958(d), sections 89 and 90.	Councils of the London boroughs of Bexley and Bromley.

(a) 2 & 3 Geo. 6. c. c.
(b) 6 & 7 Eliz. 2. c. xxiv.
(c) 5 & 6 Eliz. 2. c. xxxvii.
(d) 7 Eliz. 2. c. vi.

SCHEDULE 6 *(continued)*

Local Statutory Provisions (1)	*Authority* (2)
Surrey County Council Act 1958(a), sections 42 and 43.	Councils of the Royal Borough of Kingston upon Thames and of the London boroughs of Croydon, Sutton and Merton.
Middlesex County Council Act 1956(b), section 78. Middlesex County Council Act 1961(c), sections 34, 37 and 38.	Councils of the London boroughs of Barnet, Brent, Ealing, Enfield, Haringey, Harrow, Hillingdon, Hounslow and Richmond upon Thames.
London County Council (General Powers) Act 1929, section 53. London County Council (General Powers) Act 1936(d), section 47. London County Council (General Powers) Act 1938, section 7. London County Council (General Powers) Act 1949, section 51. London County Council (General Powers) Act 1955(e), section 20 except paragraphs (*b*) and (*c*). London County Council (General Powers) Act 1957, section 48.	Greater London Council.
Croydon Corporation Act 1960(f), section 157.	Council of the London borough of Croydon.
The following provisions so far as they relate to the former employees of any authority mentioned in column (1) of the Table in article 20:— London Passenger Transport Act 1933, section 80. London County Council (General Powers) Act 1937, section 120. Any scheme made under section 36(4) of the Act of 1937 or section 3(3) of the Local Government Superannuation Act 1939. The Increase of Pensions (Extension) Regulations 1953(g). The Increase of Pensions (Extension) (Amendment) Regulations 1953(h). The Increase of Pensions (Extension) Regulations 1957(i). The Increase of Pensions (Extension) Regulations 1959(j). The Increase of Pensions (Extension) Regulations 1963(k).	The authority mentioned in relation thereto in column (2) of the Table in article 20.

(a) 6 & 7 Eliz. 2. c. xlii. (b) 4 & 5 Eliz. 2. c. xc. (c) 9 & 10 Eliz. 2. c. xxxvii.
(d) 26 Geo. 5 & 1 Edw. 8. c. lx. (e) 4 & 5 Eliz. 2. c. xxix. (f) 8 & 9 Eliz. 2. c. xl.
(g) S.I. 1953/449 (1953 II, p. 1530). (h) S.I. 1953/1645 (1953 II, p. 1532).
(i) S.I. 1957/160 (1957 II, p. 1819). (j) S.I. 1959/1851 (1959 II, p. 2057).
(k) S.I. 1963/830 (1963 I, p. 1214).

Article 28

SCHEDULE 7

MODIFICATION OF LOCAL STATUTORY PROVISIONS

1. In section 53 of the London County Council (General Powers) Act 1929—

(*a*) For subsection (1) there shall be substituted the following subsection—

"(1) The Greater London Council may resolve that all or any of the persons in the employment of the governing body of any polytechnic, technical institute, secondary school or other similar institution which is for the time being aided by the Council under the provisions of the Education Act 1944 shall be contributory employees and in that event the Local Government Superannuation Acts 1937 to 1953 and the regulations made thereunder shall have effect in relation to those persons as if they were employed by the Greater London Council.".

(*b*) The words in subsection (2) from "and may make a scheme" to the end of the subsection shall be omitted.

2. In section 7 of the London County Council (General Powers) Act 1938—

(*a*) For subsection (1) there shall be substituted the following subsection—

"(1) The Greater London Council may resolve that all or any of the persons (other than teachers) permanently employed in the whole-time service of the managers of any public elementary school in Greater London maintained but not provided by the Council as the local education authority shall be contributory employees and in that event the Local Government Superannuation Acts 1937 to 1953 and the regulations made thereunder shall have effect in relation to those persons as if they were employed by the Greater London Council.".

(*b*) The words in subsection (2) from "and may amend any scheme" to the end of the subsection shall be omitted.

Given under the official seal of the Minister of Housing and Local Government on 25th March 1965.

(L.S.)

R. H. S. Crossman,
Minister of Housing and Local Government.

EXPLANATORY NOTE

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

This Order provides for the transfer and apportionment of the superannuation funds of authorities which are affected by the London Government Act 1963, for the protection of superannuation rights of staff who in consequence of the Act transfer to a different superannuation fund and for other consequential matters in relation to superannuation rights and liabilities.