CHAPTER li.

An Act to establish a superannuation fund for the salaried officers and servants of the London Midland and Scottish Railway Company and for other purposes. A.D. 1924.

[1st August 1924.]

WHEREAS the London Midland and Scottish Railway Company (in this Act referred to as "the Company") was incorporated by the North Western Midland and West Scottish Group Amalgamation Scheme 1923 made in pursuance of the Railways Act 1921:

And whereas the existing superannuation funds of the Company (in this Act referred to as "the existing funds") now comprise the Superannuation Fund Association of the London and North Western Railway Company the Superannuation Fund Association of the Midland Railway Company the Superannuation Scheme of the Lancashire and Yorkshire Railway Company the Superannuation Fund Association of the Caledonian Railway Company and the Superannuation Fund Association of the Glasgow and South Western Railway Company:

And whereas numerous salaried officers and servants of the Company are members of the Railway Clearing System Superannuation Fund Corporation (in this Act referred to as "the corporation"):

And whereas it is expedient that a new superannuation fund (in this Act referred to as "the Fund") for

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all the salaried officers and servants of the Company should be established and should have effect in lieu of and in substitution for the rules and regulations of the existing funds and that such of the salaried officers and servants of the Company as are contributing members of the Railway Clearing System Superannuation Fund (in this Act referred to as "the clearing system fund") should cease to be contributing members of such fund and should be transferred to and become contributing members of the Fund and that all superannuation allowances payable out of the clearing system fund to persons formerly in the service of the Company or any company whose undertaking now forms part of the undertaking of the Company should cease to be payable out of the clearing system fund and should be payable out of the Fund:

And whereas it is expedient that provision should be made for an equitable adjustment between the corporation and the Fund in respect of the members and the obligations to pay superannuation allowances transferred to the Fund from the clearing system fund:

And whereas it is expedient that the other provisions contained in this Act should be made:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and 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 (that is to say):—

Short title and commencement.

1. This Act may be cited for all purposes as the London Midland and Scottish Railway (Superannuation Fund) Act 1924 and shall come into operation on the first day of October one thousand nine hundred and twenty-four.

Interpretation.

2. In this Act unless there be something in the subject or context repugnant to such construction "the scheme" means the scheme set forth in the Schedule to this Act and "the service" means the service of the Company or any company whose undertaking now forms part of the undertaking of the Company in the capacity

of an officer or servant remunerated by an annual salary in contradistinction to weekly wages and to any form of remuneration other than an annual salary. A.D. 1924.

Establishment of superannuation scheme.

3.—(1) Subject to the provisions of the section of this Act of which the marginal note is "Adjustment with corporation" the scheme shall be deemed to have been established and in force as on and from the first day of January one thousand nine hundred and twenty-three and as on and from such date shall subject to the provisions of this Act have effect in lieu of and in substitution for the rules and regulations of the existing funds and (in respect to persons now or formerly in the service) of the clearing system fund and the rules and regulations of the existing funds shall cease to have any force or effect.

(2) The whole of the moneys and assets of the existing funds and all moneys and investments set aside as reserves or to meet guarantees of the existing funds and all provisions made whether by way of annuities or otherwise for the said purposes and the moneys or investments which are by this Act required to be paid or transferred by the corporation to the Company shall be carried to a special account in the general books of the Company to be called "The London Midland and Scottish Railway Superannuation Fund Account" and shall together with all future moneys of and additions to the Fund be held by the Company in trust for the Fund and shall be a debt due by the Company and a charge upon the general undertaking of the Company.

(3) The amounts from time to time standing to the credit of the said superannuation fund account may be applied by the Company to the purposes of this Act and to the general purposes of the undertaking of the Company being in every case purposes to which capital is properly applicable.

Existing superannuation allowances.

4. All superannuation allowances and payments which immediately prior to the first day of January one thousand nine hundred and twenty-three formed a charge upon and were payable out of any of the existing funds and all superannuation allowances and payments to persons formerly in the service which immediately prior to the first day of October one thousand nine hundred and twenty-four have become a charge upon and payable

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out of the clearing system fund shall (undiminished in amount but subject to the conditions attaching thereto) form a charge upon and be payable out of the Fund in lieu of any such existing fund or the clearing system fund.

Adjustment with corporation.

5. The Company and such of their salaried officers and servants as are contributing members of the clearing system fund shall upon the first day of October one thousand nine hundred and twenty-four withdraw from the corporation and on and as from the said date all superannuation allowances payable by the corporation out of the clearing system fund to persons formerly in the service shall cease to be payable by the corporation and the following adjustment shall be made between the Company and the corporation (that is to say):—

(1) The investments and other assets of the corporation shall be valued as at the first day of October one thousand nine hundred and twenty-four and shall be apportioned between the Company and the corporation in such ratio as may be agreed between the Company and the corporation or failing agreement as may be determined in manner hereinafter provided:

(2) The proportion of the investments and other assets of the corporation apportioned to the Company as aforesaid shall be transferred or paid to the Company within six months after the said date with interest thereon from the said date to the date of payment at the rate of four per centum per annum:

(3) If the Company and the corporation are unable to agree the value of the investments and assets of the corporation as at the said date or the apportionment to be made under this section the said value and the said apportionment or either of them shall be determined by a person to be agreed upon by the Company and the corporation or failing agreement to be appointed by the President of the Institute of Actuaries on the application of the Company or the corporation.

Additional benefits.

6. Where a member of any of the existing funds or of the clearing system fund would but for this Act have become entitled legally or by customary practice to a

superannuation allowance or payment exceeding in value the benefits to which he would become entitled under the scheme he shall be paid out of the Fund such an additional superannuation allowance or payment as will place him in no worse position than he would have been had he remained a member of any such existing fund or of the clearing system fund as the case may be.

Payments by Company.

7. The Company shall make such payments to the Fund as the Company are required to pay or provide under the scheme and in addition any other payments which may from time to time be necessary to secure the solvency of the Fund.

Rights of Company to make other payments.

8. The Company may grant and make such pension or other allowance or payment to any of their officers or servants during old age or sickness or otherwise as the directors may from time to time think fit and whether or not such officer or servant is in receipt of an allowance from the Fund.

Payments to be made as working expenses.

9. All amounts or sums of money which the Company are by this Act or the scheme authorised or required to pay provide or set aside shall be charged to and paid or provided out of the gross revenue of their undertaking as part of the working expenses in the year in which the same are so paid provided or set aside.

Costs of Act.

10. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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The SCHEDULE referred to in the foregoing Act.

LONDON MIDLAND AND SCOTTISH RAILWAY SUPERANNUATION SCHEME.

I.—INTERPRETATION.

Definitions.

1. In the construction of every definition clause regulation matter and thing hereinafter contained the following words and expressions shall have the meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such construction (that is to say) :—

"The Fund" means the fund for the time being provided under this scheme :

"The association" means the Superannuation Fund Association of the London Midland and Scottish Railway Company :

"The Company" means the London Midland and Scottish Railway Company :

"Salaried officer" means officer or servant of the Company remunerated by an annual salary in contradistinction to weekly wages and to any form of remuneration other than an annual salary :

"The service" means the service of the Company or of any company whose undertaking now forms part of the undertaking of the Company in the capacity of salaried officer :

"The old funds" means the following funds and scheme or any of them as the case may be The Superannuation Fund Association of the London and North Western Railway Company the Superannuation Fund Association of the Midland Railway Company the Superannuation Scheme of the Lancashire and Yorkshire Railway Company the Superannuation Fund Association of the Caledonian Railway Company the Superannuation Fund Association of the Glasgow and South Western Railway Company and the Railway Clearing System Superannuation Fund so far as such fund is applicable to persons now or formerly in the service :

"Contributing members" means the contributing members transferred from the old funds and the salaried officers from time to time contributing to the Fund and does not include recipients from the Fund :

"The directors" means the board of directors from time to time of the Company :

"The committee" means the committee from time to time appointed under this scheme :

"The contributors' committee-men" means the members of the committee from time to time appointed by the contributing members :

"The directors' committee-men" means the members of the committee from time to time appointed by the directors :

"The auditors" and "the secretary" mean respectively such respective officers from time to time appointed as provided in this scheme :

"The actuary" and "the actuaries" mean the actuary or actuaries from time to time appointed by the directors :

"Medical officer" means one of the medical officers of the Company or a medical officer appointed by the committee :

"Contributors' auditor" means auditor from time to time appointed by the contributing members :

"Directors' auditor" means auditor from time to time appointed by the directors :

"Ordinary meeting" means an ordinary general meeting of the contributing members duly called and constituted and any adjourned holding thereof :

"Extraordinary meeting" means an extraordinary general meeting of the contributing members duly called and constituted and any adjourned holding thereof :

"General meeting" means an ordinary meeting or an extraordinary meeting and any adjourned holding thereof respectively :

"Month" means calendar month :

Words importing the singular number include the plural number :

Words importing the plural number include the singular :

Words importing males include females.

II.—Constitution.

Association and moneys constituting Fund.

2. The contributing members shall form the Superannuation Fund Association of the London Midland and Scottish Railway Company and the Fund shall comprise :—

(*a*) The moneys assets and investments mentioned in section 3 of the Act.

(*b*) Contributions of the members made under the rules of the Fund.

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(*c*) Contributions and payments of the Company made under the Act and this scheme.

(*d*) Interest payable on the Fund.

Accumulation of Fund.

3. The Fund shall be accumulated at interest and under the trust of the Company who shall contribute sums equal to the current contributions of the members hereinafter prescribed and further such sums or such annuities spread over a term of years as in the opinion of the actuary will secure the solvency of the Fund.

Conduct of business of Fund.

4. The business of the Fund shall be conducted by means of the staff of the Company in such manner as shall from time to time be agreed between the committee and the directors.

Office of Fund.

5. The office of the Fund shall be the office of the Company in Euston Square London or other the principal place of business for the time being of the Company.

III.—ADMISSION OF MEMBERS.

Compulsory membership.

6. Subject to the provisions of this scheme the following shall be or become contributing members of the Fund (*a*) all persons who are contributing members of the old funds and (*b*) (so long as the Company make membership of the Fund a condition of service) all persons under 50 years of age entering into the employment of the Company as salaried officers.

Optional membership.

7. (*a*) Every person on the wages staff of the Company who becomes a salaried officer under 50 years of age shall be entitled if he desires to become a contributing member.

(*b*) Every person of 50 years of age or over hereafter taken into the employment of the Company as a salaried officer and every person on the wages staff of the Company who at 50 years of age or over becomes a salaried officer shall be entitled if he so desires to become a contributing member provided that he ante-dates his membership under Rule 11 or 12 to age 50 or an earlier age and that the Company consent to pay the Company's share of the back contributions.

Female members.

8. Women employed by the Company as salaried officers may if they so desire and with the consent of the Company but not otherwise be admitted as contributing members on the same terms as men.

Joint staff.

9. The committee may with the assent of the directors of the Company admit as a contributing member any person directly or indirectly employed or paid by the Company or engaged in the conduct of any of their business either solely or jointly with any other company or companies and remunerated by annual salary and every person so admitted shall have and be subject to all the rights and obligations of a salaried officer within the meaning of this scheme.

Special conditions for late age entrants.

10. The committee with the assent of the directors shall have power to impose whatever special conditions they think fit in admitting salaried officers over 40 years of age to membership of the Fund.

Ante-dating of membership.

11. The committee may at the time of admission of a member over 40 years of age with the assent of the directors permit the membership to commence as from an earlier date subject to back contributions from such earlier date being paid by such member and by the Company at the rate for the age at such earlier date with the addition of $4\frac{1}{2}$ per cent. compound interest subject to the following limitations :—

(*a*) No member over 40 and under 50 years of age at the date of admission shall be permitted to join as from an earlier age than 40 ;

(*b*) No member 50 years of age or over at the date of admission shall be permitted to join as from a date more than ten years before the date of admission ;

but in no case shall the membership cover a period prior to the member's entry into the employment of the Company or any company whose undertaking now forms part of the undertaking of the Company.

Back contributions paid as so provided shall be based on the member's salary at the time of actual admission.

Added years of membership.

12. In the case of any salaried officer who has been or may hereafter be specially appointed on account of professional or other particular qualifications including a salaried officer transferred from the wages staff or having been a member so appointed of any of the old funds the directors may at any time by resolution at the request of such member direct that such number of years (not exceeding ten) as the directors may by such resolution specify be added to the actual years of his contribution to the Fund or any superannuation fund of any company whose undertaking now forms part of the undertaking of the Company for the purpose of determining the superannuation and capital allowances.

Such officer shall contribute to the Fund at the rate of contribution applicable to his actual age on appointment as a salaried officer of the Company or any company whose undertaking now forms part of the undertaking of the Company and he shall be required to pay contributions at that rate and compound interest thereon at $4\frac{1}{2}$ per cent. in respect of such added years Back contributions paid as so provided shall be based on the member's salary at the time of admission to the Fund or the old fund as the case may be.

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The Company shall also contribute a like amount on his behalf.

Contribution for added years.

13. The Company shall pay such additional sums as may be required in pursuance of the section of the Act of which the marginal note is "Additional benefits" and any question that may arise as to the rights of a member of an old fund by customary practice shall be determined by the committee.

Members contributing to old funds for reduced benefits.

14. Any contributing member of an old fund who has not contributed at a rate entitling him to the full benefits of the old fund may on contributing the surcharge applicable to his age at entry into the old fund according to the rules of the old fund until the date of the establishment of the Fund and compound interest at the rate applicable and the rate according to Rule 19 from that date be admitted to full benefits.

Member to contribute so long as service continues.

15. Every salaried officer who is or hereafter becomes a contributing member shall so long as he remains in the service continue to be a contributing member and shall be bound in all respects by this scheme.

Medical examination.

16. Except where a member is transferred from an old fund a salaried officer who fails to pass a medical examination to the satisfaction of the committee shall not be admitted to membership.

Date of contributions.

17. For the purposes of this scheme the date of a contribution shall be the day when the payment of salary from which it is deducted became due although such payment of salary may not be actually made till a later day.

IV.—CONTRIBUTIONS.

Contributions of members of old funds.

18. Every person who is a contributing member of any of the old funds and whose membership shall be transferred to the Fund in accordance with Rule 6 shall contribute to the Fund on a similar basis to his contributions to the old fund of which he was a member provided however that members of old funds who immediately before the 1st January 1923 were paying the extra rates prescribed by the rules of their respective funds for late age entrants shall as from that date pay the rates prescribed for their ages on admission to the old fund in the scale in Rule 19 and the Company shall contribute a like sum but no member shall be required to pay a higher rate than he was paying at that date Years of contribution to old funds shall for the purposes of this scheme be deemed to be years of contribution to the Fund.

Rate of contributions.

19. Every contributing member shall (except as provided in Rule 18 relating to members transferred from the old funds) contribute a sum equal to such percentage of his salary as is

provided in the following scale and such further contributions as the actuary may prescribe for extended membership :— A.D. 1924.

Age next birthday on admission.	Percentage of Salary.
25 or under	2½
26—30	2¾
31—35	3
36—40	3¼
41—45	3½
46—50	3¾

Salary may include emoluments.

20. For the purpose of ascertaining the amount of the contributions of any member (and of the corresponding contributions of the Company) his actual salary may with the consent of the Company and of the committee be deemed to include the annual value of any benefit allowed to him by way of board lodging or commission on the profits of any department.

Contributions of Company.

21. The Company shall contribute to the Fund sums equal to the amounts contributed by the members and at such times as the members make their contributions.

Contributions of member when salary suspended or reduced.

22. If the salary of any contributing member shall be suspended or reduced he shall at the discretion of the committee and with the approval of the directors subject to his own contributions and the corresponding contributions of the Company being paid on his full salary at the time of such suspension or reduction be deemed for the purposes of this scheme to be in continued receipt of such full salary notwithstanding such suspension or reduction and to be a salaried officer and a contributing member.

Change of grade.

23. A contributing member who is transferred to a grade occupants of which are not ordinarily eligible for membership of the Fund may at the discretion of the committee and with the approval of the directors be allowed to retain his membership of the Fund.

V.—BENEFITS.

Benefits.

24. For the purpose of calculating benefits under the present rules salary shall be deemed to be the sum on which contributions have been based.

Position of annuitants under old funds.

25. Persons who were immediately before the 1st January 1923 recipients from the old funds shall not be entitled to the benefits and rights of the Fund but shall be entitled to the benefits and rights of the old funds and to the supplementary allowances when those have been granted by any company whose undertaking now forms part of the undertaking of the Company.

Scale of super-

26. Subject to the special provision contained in Rule 27 every contributing member who has been such for ten years or

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annuation allowances.

upwards shall on attaining the age of 60 years or at any time thereafter provided he leaves the service be thereupon entitled to cease making contributions and be superannuated and shall be entitled to receive from the Fund :—

(*a*) An annuity equal to one-eightieth of his salary at retirement multiplied by his completed years of contribution to the Fund and the old fund to which he was a contributing member immediately prior to his transfer to the Fund with a maximum of forty-eightieths of such salary ; and

(*b*) A capital sum equal to one-thirtieth of his salary at retirement multiplied by his years of contribution to the Fund and the old fund to which he was a contributing member immediately prior to his transfer to the Fund with a maximum of forty-five-thirtieths of such salary :

Provided that no annuity granted under the above scale shall be less than the undermentioned sums except as provided in Rule 27 :—

	Minimum Annuity.
	£
If salary at date of retirement £200 or over -	120
,, ,, ,, ,, under £200 and not less than £150 - -	100
,, ,, ,, ,, under £150 -	80

Members entitled to reduced benefits of old funds.

27. A contributing member of any of the old funds who had such old fund continued its existence would upon becoming eligible for a superannuation allowance under its rules have been entitled to a proportion only of the full scale of pension benefits shall not be entitled to the benefits set out in Rules 26 and 28 but to such benefits as may be prescribed by the actuary including reduction in minimum annuity.

Incapacitated members.

28. Any contributing member who has been a contributing member of the Fund for ten years or upwards including his years of contribution to his old fund who retires from the service before attaining 60 years of age in consequence of incapacity to perform his duties arising from mental or physical infirmity not resulting from his own misconduct and who satisfies the committee with regard to such incapacity by production of a certificate from the medical officer or otherwise shall be entitled on his retirement from the service and for the remainder of his life or during such incapacity to a superannuation allowance subject to the following conditions :—

(*a*) The superannuation allowance and capital sum payment to be granted shall (except in cases falling under Rule

27) be calculated in proportion to his years of contribution upon the same scale as if he had attained the age of 60 years with the undermentioned minimum annuities :—

	Minimum Annuity. £
If 20 years of contribution or over and salary at date of retirement £150 or over -	100
If 20 years of contribution or over and salary at date of retirement under £150 -	80
If years of contribution 10 or more but under 20 - - - - - - -	80

(*b*) The committee may at any time while he is under 60 years of age require him to give such evidence as they shall deem satisfactory of his continued incapacity and of the amount of his earnings if any and if he shall not give such evidence they may reduce suspend or revoke his superannuation allowance ;

(*c*) If while under 60 years of age he recovers sufficiently to be able to earn an income the committee may reduce suspend or revoke his superannuation allowance as they may think the circumstances justify and may accordingly from time to time fix and vary the amount of his superannuation allowance ;

(*d*) If while under 60 years of age he recovers sufficiently to return and does return to the service the committee may deal with his case in such manner as they shall deem just and reasonable taking all the circumstances into consideration ;

(*e*) If his superannuation allowance has been reduced suspended or revoked as aforesaid he shall on attaining 60 years of age and for the remainder of his life be entitled to receive a superannuation allowance in accordance with paragraph (*a*) of this rule whether his incapacity continues or not.

Commutation of superannuation allowances.

29. The committee may at their discretion and with the approval of the directors make arrangements with a contributing member on his retirement for commuting the capital sum into a supplementary annuity or in exceptional cases and having regard to the state of health or other circumstances of such member for commuting part of the annuity into a capital sum the basis for commutation to be decided by the actuary.

Allowances and payments due

30. When a person who shall have become entitled under this scheme to a superannuation allowance or other payment is unable by reason of physical or mental disability to manage his

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to persons under disability.

affairs or to sign documents the committee may from time to time pay the allowance to his wife or other person having charge of him or if the disabled person is in an institution may pay as much of the allowance as they think fit to that institution for his maintenance and the balance (if any) to or for the support of the dependants of such disabled person and the committee shall be discharged from all liability in respect of any sums so paid.

Death before superannuation.

31. If any contributing member shall die without having received a superannuation allowance there shall be paid by the Fund to his legally constituted representative a sum equal to one-thirtieth of his salary at death for each year of membership of the Fund with a maximum equal to one and a half year's salary and a minimum equal to one year's salary.

If there shall be no legally constituted representative of such contributing member the committee may at their discretion pay any such sum (provided it does not exceed one hundred pounds) to his widow children or next of kin or any of them without requiring a legally constituted representative and the Fund and the committee shall not be liable to make any further payment to any claimant in respect of such deceased contributing member.

Section 6 of the Industrial and Provident Societies (Amendment) Act 1913 shall apply in respect of this and the next following rule as if the Fund were a registered society and as if the secretary of the Fund were the committee of the society referred to in that section.

Death after superannuation.

32. If an annuitant shall die without having received as annuity and capital sum an amount equal to one year's salary at the rate payable at the time of his retirement the balance of such amount shall be paid to his legally constituted representative.

If there shall be no legally constituted representative of such annuitant the committee may at their discretion pay any such balance (provided it does not exceed one hundred pounds) to his widow children or next of kin or any of them without requiring a legally constituted representative and the Fund and the committee shall not be liable to make any further payment to any claimant in respect of such deceased annuitant.

Dismissal except for dishonesty or resignation.

33. Any contributing member leaving the service of the Company in consequence of his services being discontinued by the Company except on account of dishonesty and any contributing member retiring from the service of the Company before superannuation shall be entitled to receive back from the Fund the whole amount of his own contributions with simple interest at 4 per cent. per annum and shall have no further claim upon the Fund.

34. Any contributing member dismissed from the service of the Company for dishonesty shall be entitled to receive back from the Fund the whole amount of his own contributions without interest and shall have no further claim upon the Fund. Dismissal for dishonesty.

35. All superannuation allowances shall be payable monthly on the last day of each month an apportioned payment being made for any period less than a month elapsing between the commencement of superannuation and the day of payment next succeeding or between the last day on which the allowance shall be payable and the death of the recipient or the ceasing of the allowance as the case may be and in fixing the amount of such apportioned payment in the latter case the committee may in their absolute discretion treat any part of a month as a complete month. Dates of payment of superannuation allowances.

36. Save as prescribed by this scheme no contributing member shall have any claim upon the Fund. Claims of members on Fund.

37. No member shall be entitled to any superannuation allowance while in the service of the Company. Salaried officers not entitled to benefits.

VI.—TRUSTEES.

38. The trustees of the fund shall be the chairman and secretary for the time being of the London Midland and Scottish Railway Company. Trustees.

VII.—COMMITTEE.

39. Subject to the provisions of this scheme the management and direction of the Fund shall be vested in a committee of twelve persons six of whom shall be directors' committee-men and six contributors' committee-men who shall be appointed as hereinafter mentioned. Composition of committee.

40. A provisional committee of the Fund shall be constituted and shall consist of the following twelve persons Edward Brocklehurst Fielden the Hon. Arthur Henry Holland-Hibbert Charles Ker Douglas Vickers Sir Henry Fowler and Robert Christopher Irwin to constitute the directors' committee-men and George Henry Boothman Harry Chadwick Robert Hammond Hearn William Monteith Arthur Moss and Richard Hingram Rowlands to constitute the contributors' committee-men. Provisional committee.

Such provisional committee and any persons appointed to fill any casual vacancies which may arise shall hold office until a committee has been constituted in accordance with the rules of the Fund after the first election of contributors' committee-men in the year 1925 has been made in accordance with Rule 46.

The provisional committee shall appoint scrutineers and make the necessary arrangements for the first election of contributors' committee-men in accordance with Rule 46 and shall

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exercise all the powers and duties of the committee of management of the Fund until a committee has been constituted in accordance with the rules of the Fund after the first election of contributors' committee-men in the year 1925 has been made in accordance with Rule 46.

Any casual vacancies in the office of members of the provisional committee shall in the case of members appointed by the directors be filled by an appointment by the directors and in the case of contributors' committee-men be filled by an appointment made by the contributors' committee-men.

Chairman of committee.

41. The chairman of the committee shall be one of the directors on the committee and in his absence the chair shall be occupied by the senior director present or if no director is present by the senior directors' committee-man The chairman of the committee shall in cases of equal division have an additional or casting vote.

Procedure of committee.

42. The procedure of the committee shall except as prescribed by this scheme from time to time be regulated by the committee.

Claims on Fund.

43. The committee shall decide on all claims made upon the Fund.

Decisions on questions of fact.

44. Whenever it shall be needful for the committee to decide a question of fact they shall be at liberty to act upon such proofs or presumptions as they shall deem satisfactory whether the same shall be strictly legal or not and their decision shall be final.

Appointment of directors' committee-men.

45. The directors' committee-men shall from time to time be appointed by the directors and the qualifications appointment and retirement from time to time of the directors' committee-men shall be regulated from time to time by the directors.

Election of contributors' committee-men.

46. The contributors' committee-men shall be elected by the contributing members and the following regulations shall be observed with regard to their election viz. :—

(*a*) The qualification for a contributors' committee-man shall be that he is a contributing member of the association ;

(*b*) After the first election of contributors' committee-men in 1925 an election shall take place every three years ;

(*c*) When an election is to take place the secretary shall notify that fact to each member of the association by means of an advice to departments which is to be posted in offices and at stations and invite the nomination of candidates whose names together with the consent in writing of such persons to act shall be sent to reach him by 31st May next before the date of the annual meeting The nomination must be signed by twenty members who

shall have been contributing members for not less than ten years The names of all such candidates shall be announced on the balance sheet issued to the members one week before the meeting;

(*d*) Every election shall in the first instance be by show of hands at the annual meeting provided that if a poll be demanded by at least thirty members present and voting the election shall be by voting papers to be issued after such meeting in manner hereinafter provided and to be returned to the secretary within twenty days of the date of issue Each contributing member shall have as many votes as there are contributors' committee-men to be elected and shall not give more than one vote to any one candidate Scrutineers shall also be appointed at such annual meeting by the vote of the members present and voting The secretary shall within fourteen days after such meeting issue voting papers to each member and make all necessary arrangements for taking the vote;

(*e*) The voting papers shall not disclose the identity of the voter but shall bear a number by which if necessary upon a scrutiny the voter may be identified and shall contain the following particulars:—

(i) The names in alphabetical order of the candidates;

(ii) The date of issue and a notice that the vote will be lost unless the voting paper be returned to the secretary within twenty days of the date of issue;

(*f*) The voting papers shall be examined and the result of the election ascertained by the scrutineers who shall inform the secretary thereof and the voting papers shall be retained for one calendar month after the last day for the return of voting papers to the secretary when they shall be destroyed The result of the voting certified by the scrutineers shall be announced in such manner as the committee may determine by the secretary within eight weeks of the date of the meeting at which the poll was demanded;

(*g*) Between the annual meeting and the declaration of the result of the vote directed at such meeting the contributors' committee-men who were in office immediately before such annual meeting shall remain in office;

(*h*) Any casual vacancy in the office of contributors' committee-man caused by death or resignation shall be filled up by the remaining contributors' committee-men and the committee of management shall advise members

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of such appointment in such manner as the committee of management may decide. The person so appointed shall retain his office until the next election but he shall then be eligible for re-election without any notice being given in that behalf. Provided always that pending the appointment of a contributors' committee-man or contributors' committee-men to fill any casual vacancy or vacancies the committee of management may exercise all its powers notwithstanding such vacancy or vacancies;

(*i*) Each of the contributors' committee-men shall remain in office until he shall die or resign (which resignation may be effected by him on giving twenty-one days' notice in that behalf to the secretary) or cease to be a contributing member of the association or until some other person shall be elected in his place under the provisions of this rule.

VIII.—MEETINGS.

Date of ordinary meeting.

47. An ordinary meeting of members shall be held on the last Wednesday in June in every year for the purpose of receiving the annual statement of accounts and balance sheet and for the conduct of the general business of the association at such time and place as the committee shall from time to time appoint.

Notice of motion.

48. Any member desiring to propose a motion relating to the affairs or administration of the association or the Fund must give notice to reach the secretary by 31st May next before the date of the annual meeting.

Extra-ordinary meeting.

49. Extraordinary meetings shall from time to time be called by the committee and shall be held at such time and place as the committee shall appoint.

Advertisement calling extra-ordinary meeting.

50. The advertisement or other notice calling any extraordinary meeting shall particularise the business to be transacted thereat and no business not so particularised shall be transacted thereat.

Notice of meetings.

51. The committee calling any general meeting or extraordinary meeting respectively shall give not less than seven days and not more than fifteen days' notice by advertisement or otherwise as the committee may determine of the day place and hour appointed for the general meetings respectively and the date place and hour of the ordinary meeting shall be shown in the report accompanying the balance sheet and when any adjournment is made for more than seven days shall give at least four days' notice of the adjourned meeting such days to be respectively inclusive of the days of giving the same and the days of meeting.

Chairman of general meeting.

52. Every general meeting shall before proceeding to business appoint a chairman from among the contributing members present thereat.

Voting at general meeting.

53. All questions at a general meeting shall subject to the regulations in Rules 46 and 63 (with regard to the election of contributors' committee-men and of contributors' auditor) be decided by open voting of the members present thereat.

Adjournment of general meeting.

54. General meetings are to be adjourned in accordance with the following regulations :—

(*a*) If twenty contributing members shall not be present in person within one hour after the time appointed for the meeting it shall ipso facto stand adjourned to that day week at the same place and hour and if need be so on from week to week until such twenty members shall be present ;

(*b*) In every other case the meeting may adjourn at pleasure to any later hour in the same day or to any later day respectively which may be determined by a majority of the contributing members present.

Minutes of general meeting.

55. Minutes of the proceedings of any general meeting shall thereat or with all convenient speed thereafter be recorded by the secretary in a book kept for that purpose and be signed by the person in the chair at such meeting or in case of his default or incapacity by any three or more of the contributing members present thereat and such minutes when so recorded and signed shall in the absence of proof of error therein be considered as original proceedings.

Powers of general meeting.

56. No general meeting shall have any powers except such as are conferred upon it expressly or by implication by this scheme.

IX.—OFFICERS.

(A) *Secretary.*

Appointment of secretary.

57. The committee shall from time to time appoint one of the staff of the Company to be secretary with the consent of the directors as to the individual selected.

Remuneration of secretary.

58. The remuneration of all services performed in carrying this scheme into effect by the secretary or others shall be paid by the Company.

Duties of secretary.

59. The secretary shall keep the records books and papers relating to the association and business thereof allowing such inspection as hereinafter provided.

He shall receive and report to the committee all applications for membership of the Fund and for allowances out of the Fund resignations and other matters to be brought under the consideration of the committee.

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He shall give notice of all general meetings called by the committee.

He shall record the minutes of the proceedings of all general meetings and of all meetings of the committee and the attendances of the members of the committee.

He shall perform such other duties with reference to carrying out this scheme as the committee from time to time appoint.

Temporary substitute for secretary.

60. A temporary substitute for the secretary may at any time be appointed by the committee with the consent of the directors.

(B) *Auditors.*

Auditors.

61. There shall be two auditors one of whom shall be called the directors' auditor and the other the contributors' auditor.

Directors' auditor.

62. A directors' auditor shall be appointed by the directors to hold office so long as they shall from time to time resolve.

Contributors' auditor.

63. The contributors' auditor shall be a contributing member and shall be nominated and elected and hold office in the same manner as the contributors' committee-men as provided by the regulations in Rule 46 so far as the same apply The contributors' committee-men in office when the scheme comes into force may appoint an auditor to act till one is appointed by members under this rule in accordance with Rule 46.

Vacancy in office of contributors' auditor.

64. Whenever a vacancy in the office of contributors' auditor shall occur by such auditor dying resigning or ceasing to be a contributing member the committee shall call an extraordinary meeting for some day not less than seven days nor more than one month after such vacancy shall have occurred for the purpose of filling up such vacancy.

(C) *Actuary.*

Actuary.

65. The directors shall appoint an actuary or actuaries who shall make an investigation of the position of the Fund as on 31st December 1929 and thereafter at successive intervals of not exceeding five years and shall report to the committee of management thereon.

(D) *Generally.*

Directors and committee to give certain information.

66. On being required on such behalf the directors shall from time to time give or cause to be given to the committee or to any contributing member and the committee shall from time to time give or cause to be given to the directors or to any contributing member all such information as may be in their power respectively as to whether any office under this scheme is vacant or full and as to the happening or not of any event upon which or in consequence whereof any general meeting ought to be or may be called.

X.—ACCOUNTS AND AUDIT.

Accounts to be kept.

67. The committee shall cause full and true accounts up to 31st December in each year to be kept of the Fund and of all sums of money expended under this scheme by the committee and all persons employed by or under them and of the matters and things for which such sums of money shall have been disbursed and paid and shall cause full and true records to be kept of the times of commencement of membership of the dates of first contributions and of all other chronological and other facts necessary or proper to be recorded and shall also cause a register to be kept of the contributing members.

Inspection of records.

68. The committee may at their discretion on the written request of a member authorise the inspection of the records of the Fund.

Books of committee.

69. The books of the committee shall be balanced four weeks at least before the day appointed for the ordinary meeting in each year.

Balance-sheet to be made up.

70. Forthwith on the books being so balanced an exact balance-sheet shall be made up which shall exhibit a true statement of the Fund and the debts (if any) due and payable thereout at the date of making such balance-sheet.

Accounts and balance-sheet to be delivered to auditors.

71. The committee shall deliver to the auditors the accounts and balance-sheet for the year four weeks at least before the day appointed for the ordinary meeting with reference to which they are to be balanced and made out respectively together with all means of vouching and verifying the same and the committee and secretary shall give to the auditors every assistance in their investigation.

Duty of auditors.

72. It shall be the duty of the auditors to receive such accounts and balance-sheet and to examine the same.

Auditors may employ accountants.

73. It shall be lawful for the auditors to employ such accountants and other persons as they shall think proper at the expense of the Fund and they shall either make a special report on the said accounts or simply confirm the same and such report or confirmation shall be made and given to the committee at least ten days before the day appointed for such ordinary meeting as last aforesaid.

Committee to produce balance-sheet at general meeting.

74. The committee shall cause the balance-sheet and auditors' report to be produced to the contributing members assembled at each ordinary meeting.

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