EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport)

These Regulations prescribe the procedure to be followed in connection with applications for the grant or variation of permits for the carriage of goods under Section 52 (1) of the Transport Act, 1947, the production of permits and other documents and the procedure to be followed in connection with appeals against decisions of the Licensing Authority in relation to revocation or suspension of original permits. They also prescribe the time limit within which an application for an original permit may be made under Section 53 (2) of the Act.

The functions of the British Transport Commission in relation to these matters were delegated to the Road Transport Executive by a Scheme made on the 12th April, 1948, by the Commission, approved by the Minister of Transport and published in the London, Edinburgh and Belfast Gazettes on 23rd April, 1948.

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4. PENSION SCHEMES

The Pension Schemes (Employees in Northern Ireland) Regulations, 1949

1949 No. 584

Made - - - -	28*th March*, 1949
Laid before Parliament	29*th March*, 1949
Coming into Operation	31*st March*, 1949

The Minister of Transport in exercise of the powers conferred upon him by section 98 of the Transport Act, 1947(a), and of all other powers him enabling hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the 31st day of March, 1949, and may be cited as the Pension Schemes (Employees in Northern Ireland) Regulations, 1949.

(2) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

" the Act " means the Transport Act, 1947 ;

" the Authority " means the Ulster Transport Authority established under the Transport Act (Northern Ireland), 1948(b) ;

" the Commission " means the British Transport Commission ;

" the date of change " in relation to any person, means the date on which that person ceases to be employed as an officer or servant by the Commission (whether or not the employment is by virtue of the Act to be treated as employment by the Executive) and becomes employed as an officer or servant of the Authority ;

" an Executive " means an Executive established by or under section 5 of the Act ;

(a) 10 & 11 Geo. 6. c. 49. (b) 12 Geo. 6. c. 16 (Northern Ireland).

"the Society" means the Society known as "the London and North Western Railway Provident Society for providing Pensions for Widows and Orphans of the Salaried Staff".

(3) The Interpretation Act, 1889(a), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. These Regulations apply to—

(1) any pension scheme established by or under the London Midland and Scottish Railway (Superannuation Fund) Act, 1924(b), or the London and North Eastern Railway (Superannuation Fund) Act, 1939(c), or by the Society; and

(2) any person employed as an officer or servant by the Authority who became so employed immediately upon ceasing to be employed as an officer or servant by the Commission (whether or not the employment was by virtue of the Act to be treated as employment by an Executive).

3. The subsequent provisions of these Regulations shall be terms of any pension scheme to which these Regulations apply and notwithstanding anything to the contrary therein contained, every such scheme and any statutory provisions relating thereto and all trust deeds, rules and other instruments made for the purposes thereof shall be construed accordingly.

4. Every person to whom these Regulations apply, being a person who was immediately before the date of change a member of a pension fund held for the purposes of a pension scheme to which these Regulations apply or a member of the Society, as the case may be, may, with the consent of the Committee in whom the management of the fund or society is vested and the approval of the Commission, continue to be a member thereof so long as he remains in the service of the Authority and to be treated as having been such on and after the date of change in all respects as if his service with the Authority were service with the Commission.

5. No such consent as is mentioned in the last preceding Regulation shall be given by the Committee in whom the management of a pension fund held for the purposes of any scheme to which these Regulations apply is vested and no such approval as is so mentioned shall be given by the Commission except upon the giving of an undertaking by the Authority to make such contributions and payments to the fund in respect of any period commencing with the date of change and ending with the date on which the person in relation to whom the undertaking is given ceases to be in the service of the Authority, as would, but for the provisions of these Regulations, have fallen to be made by the Commission if that person had been in the service of the Commission and not in that of the Authority.

6. The Commission shall not be liable to make any contribution or payment to the fund in respect of any person to whom these Regulations apply, being a person who continues to be a member of a pension fund held for the purposes of a pension scheme to which these Regulations apply or of the Society and to be treated as having been such on and after the date of change for any period commencing with the date of change and ending with the date on which he ceases to be in the service of the Authority.

Given under the Official Seal of the Minister of Transport this twenty-eighth day of March, 1949.

(L.S.)

Alfred Barnes,
Minister of Transport.

(a) 52 & 53 Vict. c. 63. (b) 14 & 15 Geo. 5. c. li. (c) 2 & 3 Geo. 6. c. xxii.

EXPLANATORY NOTE

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

These Regulations make provision whereby officers or servants of the British Transport Commission who are participants in pension schemes, may continue to be participants therein on becoming officers or servants of the Ulster Transport Authority.

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5. RAILWAY FREIGHT REBATES

The Railway Freight Rebates Scheme, Modification Order, 1949

1949 No. 2274

Made - - - - 23*rd November,* 1949
Coming into Operation 1*st December,* 1949

In the Court of the Transport Tribunal

Whereas it is enacted by Paragraph 10 of Part I of the Eleventh Schedule to the Local Government Act, 1929(**a**), as amended by the Railway Freight Rebates Acts, 1936, and 1943(**b**), that the Transport Tribunal shall review the operation of the Railway Freight Rebates Scheme within three months after the end of every year and shall give not less than twenty-one days' notice of the date, time and place of the sitting at which the Review will take place.

And whereas the year for the purposes of the said Scheme ended on the 30th day of September, 1949.

And whereas we caused public notice to be given not less than twenty-one days previous to the 23rd day of November, 1949, that we should sit at 10.30 a.m. on the said 23rd day of November, 1949, at the office of the Transport Tribunal, Wellington House, 125-130 Strand, London, W.C.2, for the purpose of holding the said Review.

And whereas on the 18th November, 1949, we received a Certificate under the Seal of the Minister of Transport dated the 17th November, 1949, issued under the provisions of Paragraph 11 of Part I of the said Schedule as amended by the Railway Freight Rebates Acts, 1936 and 1943.

And whereas on the 23rd day of November, 1949, we have reviewed the operation of the said Scheme and have taken into consideration all submissions lodged relative thereto, and have considered the aforesaid Certificate of the Minister of Transport, and have in open Court heard the Railway Executive and every Representative Body of Traders interested which was desirous of being heard.

And whereas we consider a modification to be necessary and desirable.

Now, we, the Transport Tribunal in pursuance of the powers vested in us under the Local Government Act, 1929, as amended by the Railway Freight Rebates Acts, 1936, and 1943, do hereby order that the Railway Freight

(**a**) 19 & 20 Geo. 5. c. 17. (**b**) 1 Edw. 8 & 1 Geo. 6. c. 2 and 6 & 7 Geo. 6. c. 23.