CHAPTER cii.

An Act to provide for the granting of superannuation allowances to the officers and pensions to the servants of the Council of the metropolitan borough of Poplar and for other purposes. [18th August 1911.]

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WHEREAS the metropolitan borough of Poplar in the administrative county of London (hereinafter referred to as "the borough") is a borough constituted under the London Government Act 1899 and is under the management and control of the mayor aldermen and councillors of the borough (hereinafter referred to as "the Council"):

And whereas under and by virtue of the Superannuation (Metropolis) Act 1866 and the London Government Act 1899 the Council are empowered as the successors of the Board of Works for the Poplar District and vestries of parishes and other parochial bodies to grant allowances in the nature of superannuation allowances or gratuities to persons who shall have served in an established capacity as officers of the Council:

And whereas it has been the custom of the Council to grant superannuation allowances to their officers and servants on retirement under the provisions of the Superannuation (Metropolis) Act 1866 aforesaid:

And whereas by the London (Existing Officers) Scheme 1900 it is provided that "subject to the provisions of the "Superannuation (Metropolis) Act 1866 in computing the time "of the service for the purposes of that Act of an officer of "the Council of a metropolitan borough who has been "transferred by or under the London Government Act 1899 to "that Council from any other authority and who before the "transfer was an officer to whom the Superannuation (Metropolis)

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" Act 1866 applied any period during which the officer was in " the service of that other authority shall be included ":

And whereas in pursuance of the aforesaid scheme certain of the officers transferred to and now in the service of the Council are to the extent defined by such scheme entitled to the benefits conferred by the Superannuation (Metropolis) Act 1866:

And whereas doubts have arisen as to whether certain persons transferred to or appointed by the Council are officers acting in an established capacity within the meaning of the Superannuation (Metropolis) Act 1866 and as to the powers and duties of the Council with reference to such persons and it is expedient that provision should be made with reference thereto as in this Act set forth:

And whereas it is expedient that a uniform practice should so far as possible be established for the granting by the Council of superannuation allowances or pensions to the whole of the officers and servants transferred to or appointed by the Council as aforesaid in manner provided by this Act:

And whereas it is expedient that the Council should be empowered to assist any societies constituted from amongst their servants for the purpose of providing allowances to the members of such societies during sickness or to their families or representatives in case of death by subscribing to the funds of such societies:

And whereas an absolute majority of the whole number of the Council of the metropolitan borough of Poplar at a meeting held on the 17th day of November 1910 after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the East End News and London Shipping Chronicle a local newspaper published or circulating in the said borough such notice being in addition to the ordinary notices required for summoning such meeting resolved that the costs and expenses of promoting the Bill for this Act should be charged on the general rate:

And whereas such resolution was published twice in the said East End News and London Shipping Chronicle and has received the approval of the Local Government Board:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole

number of the Council of the metropolitan borough of Poplar at a further special meeting held in pursuance of a similar notice on the fifth day of January 1911 being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas in relation to the promotion of the Bill for this Act the requirements contained in the First Schedule to the Borough Funds Act 1903 have been observed:

And whereas the objects of this Act cannot be effected 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:—

Part I.

Introductory.

Short title and commencement of Act.

1. This Act may be cited as the Poplar Borough Council (Superannuation and Pensions) Act 1911 and shall come into operation as from the 1st day of January 1912.

Division of Act into Parts.

2. This Act is divided into Parts as follows:—

Part I.—Introductory.
Part II.—Superannuation.
Part III.—Pensions.
Part IV.—Financial.

Interpretation.

3. In this Act the expression—

"Council" means the mayor aldermen and councillors of the metropolitan borough of Poplar;

"General rate" means the rate or rates levied and collected in the borough and defined by section 10 of the London Government Act 1899 as the general rate;

"Officer" means every officer in the service of the Council in an established capacity and every servant on weekly wages exceeding with emoluments other than overtime forty-five shillings a week in the permanent employ of the Council and duly placed on the establishment staff;

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"Servant" means every servant or workman not less than twenty years of age on weekly wages not exceeding with emoluments other than overtime forty-five shillings a week in the permanent employ of the Council and duly placed on the establishment staff;

"Service" means service under the Council or as regards an officer or servant transferred to the Council from any other authority by or under the London Government Act 1899 also service under such authority;

"Aggregated service" means service as above defined together with any service under an authority or authorities other than the Council or their predecessors which shall be aggregated and reckoned in accordance with the provisions of the section of this Act whereof the marginal note is "Service under other authorities";

"Emoluments" includes all fees poundage and other payments made to any officer or servant as such by the Council for his own use also the money value of any apartments rations or other allowance in kind appertaining to his office or appointment but does not include casual payments or gratuities or payments in respect of overtime;

"Joint appointment" includes any office the tenure whereof is determined by the death removal resignation or incapacity of the holder of another office under the Council;

"Superannuation fund" means a fund to be established and administered by the Council in the manner described and provided in the section of this Act whereof the marginal note is "Superannuation fund";

"Pension fund" means a fund to be established and administered by the Council in the manner described and provided in the section of this Act whereof the marginal note is "Pension fund";

"Provident fund" means a fund constituted exclusively from amongst the servants of the Council as provided in the section of this Act whereof the marginal note is "Power to contribute to provident fund";

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"Statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

"Statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Council.

Part II.

Superannuation.

Title of officers to superannuation allowances.

4.—(1) Subject to the provisions of this Act every officer who—

(A) Shall have completed ten years' service or aggregated service and shall become incapable of discharging the duties of his office with efficiency by reason of permanent infirmity of mind or body (other than permanent incapacity due to an injury in respect of which he receives compensation under the Workmen's Compensation Act 1906 or any scheme made thereunder) or of old age; or

(B) Shall have attained the age of sixty years and have completed a service or aggregated service of forty years; or

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(c) Shall have attained the age of sixty-five years;

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

(2) An officer shall not be entitled to an allowance on the ground of old age unless he has completed the age of sixty years.

(3) Where an officer has attained the age of sixty-five years he shall cease to hold his office or employment and shall thereafter receive the superannuation allowance to which he may be entitled under this Act Provided that the Council may by resolution extend his period of service for one year and so from time to time as they may deem expedient.

(4) Provided always that (notwithstanding anything in this Act contained) any superannuation allowance which may be granted to any officer who at the passing of this Act shall have attained the age of sixty years and have completed a service or aggregated service of forty years or shall have attained the age of sixty-five years shall be paid out of the general rate and not out of the superannuation fund.

Scale of superannuation allowances.

5. The scale of superannuation allowances to be made to an officer under this Act shall be as follows (that is to say):—

After ten years' service or aggregated service ten-sixtieths of the average amount of his annual salary or wages and emoluments during the five years ending on the quarter day which immediately precedes the day on which he ceases to hold his office or employment;

After eleven years' service or aggregated service eleven-sixtieths of such average amount;

And so on up to a maximum after forty or more years' service or aggregated service of forty-sixtieths of such average amount:

Provided that in the case of an officer transferred to the Council from an authority superseded by the Council to whom a compensation allowance has been granted under the London Government Act 1899 in respect of an office or employment abolished by the Council the period of service under the Council's predecessors shall not be reckoned for the purposes of this section.

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Service under other authorities.

6. Subject to the deduction of the increased percentage amounts to be contributed in that behalf as hereinafter provided all periods of service by an officer other than an officer to whom a compensation allowance has been granted under the London Government Act 1899 rendered before his appointment by the Council or their predecessors under and as an officer of any authority or authorities to which the Metropolis Management Acts 1855 to 1893 the Vestries Acts 1818 to 1853 the Elementary Education Act 1870 the Public Health (London) Act 1891 the Public Health Acts the Public Libraries Acts 1892 and 1893 the Baths and Washhouses Acts 1846 to 1882 the Burial Acts the Local Government Act 1888 the Local Government Act 1894 the Union Assessment Committee Acts the Valuation (Metropolis) Act 1869 the Municipal Corporations Act 1882 the Poor Law Officers' Superannuation Act 1896 the London Government Act 1899 or one or more of such Acts apply or have applied and whether the duties or powers of such authority or authorities shall have been transferred to the Council or not shall be aggregated and reckoned for the purposes of this Act whether the whole time of such officer has been devoted to such service or not:

Provided that no period of service shall be so aggregated and reckoned in a case where an officer is unable to prove to the reasonable satisfaction of the Council within a period of six months from the commencement of this Act that he has been in the service or employment of any such authority or authorities and no such period of service shall be so aggregated and reckoned which has been or may be aggregated and reckoned for the purpose of superannuation allowances or gratuities under any of the aforesaid Acts:

Provided also that an officer appointed prior to the passing of this Act shall be entitled by notice in writing within six months thereafter to require that all or any period or periods of service under any authority or authorities whereof the duties or powers have not been transferred to the Council shall not be so aggregated and reckoned:

And further provided that in case of an officer appointed subsequently to the passing of this Act no such period of service shall be so aggregated and reckoned unless such officer declares prior to his appointment and proves to the satisfaction

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of the Council within a period of three months from the date of such appointment that he has been in the service or employment of any such authority or authorities and the Council on the application of such officer in such case shall at their discretion direct whether the whole or any part of such period of service shall or shall not be so aggregated and reckoned:

And further that no such period of service shall be so aggregated and reckoned which has been or may be reckoned for the purpose of superannuation allowances or gratuities under any of the aforesaid Acts.

Forfeiture for misconduct.

7. An officer who is dismissed or resigns or otherwise ceases to hold his office or employment in consequence of any offence of a fraudulent character or grave misconduct shall forfeit all claim to any superannuation allowance under this Act in respect of his previous service or aggregated service Provided that in the case of any such officer the Council may if they see fit return to him out of the superannuation fund a sum equal to the amount of all or part of his contributions under this Act.

Return of contributions and power to grant gratuities and superannuation allowances in certain cases.

8.—(1) An officer who has not become entitled to a superannuation allowance and who—

(A) Voluntarily resigns his office or employment; or

(B) Loses his office or employment by reason of a reduction of staff or of any alteration of areas or boundaries; or

(C) Otherwise ceases to hold his office or employment by reason of bodily injury not occasioned by his own default or of any other cause whatever other than his own misconduct;

shall be entitled to receive a sum equal to the amount of all his contributions under this Act.

(2) In any such case of loss of office or employment as in this section mentioned the Council may also if they see fit grant to an officer a gratuity not exceeding twice the amount of his salary or wages and emoluments during the year ending on the quarter day which immediately precedes the day on which he ceases to hold his office or employment but every such gratuity shall be paid out of the general rate and not out of the superannuation fund.

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(3) Provided that when such loss of office or employment occurs in a case in which the death or insanity of one of the holders of a joint appointment vacates the office of the other the officer whose office or employment is so vacated shall unless he is re-appointed by the Council be entitled to receive during life a superannuation allowance according to the scale provided by this Act if such officer has attained the age of fifty years or has served for not less than twenty years.

Payments at death of officer in certain cases.

9. In the event of the death of any officer within one year after he has become entitled to a superannuation allowance under this Act the Council shall out of the superannuation fund pay to the legal personal representatives of such officer such a sum as the Council may think fit but such sum shall not be less than shall be sufficient to make up one year's superannuation allowance to such officer when added to any superannuation allowance already paid to him.

Return of contributions in case of death.

10. In the event of an officer dying before becoming entitled to or receiving a superannuation allowance under this Act the Council shall pay to his legal personal representatives out of the superannuation fund the amount of the contributions made by such officer under this Act.

Notice of proposal to return contributions or grant gratuity.

11. Special notice in writing shall be given with the ordinary agenda paper to every member of the Council of the time at which any proposal to return contributions to an officer who has been dismissed or resigned or any proposal to grant a gratuity under this Act will be considered.

Allowance not assignable.

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

Obligation of officers to contribute.

13. Subject to the provisions of this Act every officer in the service or employment of the Council shall contribute to the superannuation fund a percentage amount of his salary or wages and emoluments according to the scale provided by this Act such amount to be deducted by the Council from the salary or wages and emoluments payable to him and to be carried to the credit of and form part of the superannuation fund.

Scale of contributions.

14. The percentage amounts to be deducted for the purposes of the superannuation fund shall subject to the provisions contained in the section of this Act whereof the marginal note

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is "Additional contributions in respect of service under other authorities" be as follows (that is to say):—

In the case of officers with less than five years' service or aggregated service at the passing of this Act or appointed after the passing of this Act two and a half per centum of the annual salary or wages and emoluments;

In the case of officers with more than five and less than fifteen years' service or aggregated service at the passing of this Act three per centum of the annual salary or wages and emoluments; and

In the case of officers with more than fifteen years' service or aggregated service at the passing of this Act three and a half per centum of the annual salary or wages and emoluments:

Provided that in the case of officers whose salary or wages and emoluments for the time being do not exceed one hundred and twenty pounds a year the percentage amounts to be deducted shall be two per centum of their annual salary or wages and emoluments:

The percentage amounts aforesaid shall be deducted from each and every payment made to officers by way of salary wages or emoluments but such deduction shall not be calculated to fractions of one penny Provided that deductions in respect of emoluments other than monetary payments shall be made by instalments or otherwise as the Council may from time to time direct:

And further provided that in the case of an officer transferred to the Council from an authority superseded by the Council to whom a compensation allowance has been granted under the London Government Act 1899 in respect of an office or employment abolished by the Council the period of service under the Council's predecessors shall not be reckoned for the purposes of this section.

Additional contributions in respect of service under other authorities.

15. The periods of service in the case of officers who have served under any local authority or authorities other than the Council or their predecessors to which the Acts mentioned in the section of this Act whereof the marginal note is "Service under other authorities" apply or have heretofore applied shall

be aggregated or reckoned for the purpose of ascertaining the percentage amounts to be deducted as aforesaid Provided that any officer in whose case any such period or periods are aggregated and reckoned as provided in the section last aforesaid shall at the option of the Council in addition to the contributions provided by the last preceding section of this Act pay or contribute either (*a*) the aggregate amount of any contributions and gratuities which may have been returned or paid to him on the termination of any period or periods of service which are so aggregated and reckoned as aforesaid by the local authority or authorities under whom such service has been spent or (*b*) annually by such instalments and in such manner as aforesaid for each aggregated period of five years or part thereof a sum equivalent to one per centum of the annual salary or wages and emoluments received by such officer.

Superannuation fund.

16.—(1) The Council shall establish and administer a superannuation fund to which shall be carried and credited—

(A) A sum hereinafter called "the primary annual contribution" to bear such a proportion to the total salaries of the officers as hereinafter provided;

(B) All percentage amounts of salary or wages and emoluments deducted as in this Act provided and any amounts that may be received by the Council under the provisions of the section of this Act whereof the marginal note is "Additional contributions in respect of service under other authorities";

(C) All dividends and interest arising out of the investment of the superannuation fund or any part thereof; and

(D) Such amount out of the general rate as may be required to meet any deficiency in the superannuation fund.

(2) The primary annual contribution shall be charged annually to the general rate and to the account of the Council's electricity undertaking respectively Provided that the contribution from the Council's electricity undertaking shall bear the same proportion to the total amount of the primary annual contribution as the total salaries of the officers employed in the electricity undertaking of the Council bears to the total salaries of the whole number of officers employed by the Council.

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(3) The following shall be charged upon the superannuation fund (namely) :—

(A) Superannuation allowances made in pursuance of this Act;

(B) Contributions or parts of contributions returned or paid in pursuance of this Act.

Actuarial investigation.

17. Within six months after the commencement of this Act and at the expiration of every subsequent period of five years dating from the first day of January one thousand nine hundred and twelve the condition of the superannuation fund shall be submitted by the Council to an actuary being a fellow either of the Institute of Actuaries or of the faculty of actuaries in Scotland appointed by them and approved by the Local Government Board who shall consider the same shall make an actuarial valuation of the fund and on the basis of such valuation shall certify what proportion in his opinion the primary annual contribution shall bear to the total salaries of the officers of the general staff of the Council and of the electricity undertaking respectively so that without further recourse to the general rate or the funds of the electricity undertaking the superannuation fund as constituted under paragraphs (A) (B) and (C) of subsection (1) of section 16 shall be solvent (having regard to existing and prospective liabilities) and for the next quinquennial period the primary annual contribution shall be in the proportion so certified and shall be paid to the superannuation fund accordingly Provided that in making a certificate under this section the actuary shall take into account the sums which the Council are now paying under the Superannuation (Metropolis) Act 1866 or will hereafter pay under section 4 (4) of this Act and make such certificate as will cast upon the rates and the funds of the Council's electricity undertaking respectively as nearly as may be an even annual charge so long as this Act is in operation in respect of the expenditure both under this Act and under the Superannuation (Metropolis) Act 1866.

Case of subsequent appointment.

18. Where an officer in receipt of a superannuation allowance under this Act is appointed to any office or employment by any authority to whom section 6 of this Act applies such allowance shall cease to be paid so long as he continues to hold such office or employment if the salary or wages and

emoluments thereof are equal to or in excess of the amount of such allowance and if they are not then only so much of such allowance shall be paid so long as he holds such office or employment as will make up the deficiency.

Any such person on ceasing to hold such office or employment shall be entitled to revert to and receive the full amount of his original superannuation allowance.

Investment of superannuation fund.

19.—(1) The Council may use for the purpose of any statutory power possessed by them any moneys forming part of the superannuation fund and not required for the time being to meet payments under this Act but subject to the following conditions:—

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

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

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

(2) Any moneys forming part of the superannuation fund which are not so used shall be invested in any statutory securities.

Saving for existing officers.

20. Any officer in the service or employment of the Council at the time of the passing of this Act may at any time within three months after the date of such passing signify in writing to the Council his intention not to avail himself of the provisions

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of this Act and in that event it shall not be obligatory on him notwithstanding anything in this Act contained to make any contributions or submit to any deductions from his salary or wages under this Act nor shall he be entitled to receive any superannuation allowance gratuity or other benefit under this Act Any officer who has given such notice as aforesaid or who at the commencement of this Act shall have attained the age of sixty-five years as mentioned in the proviso to the section of this Act whereof the marginal note is "Title of officers to superannuation allowances" shall if entitled immediately before the date of the passing of this Act to any benefits conferred by the Superannuation (Metropolis) Act 1866 or section 12 of the Baths and Washhouses Act 1878 or the Poor Law Officers' Superannuation Act 1896 remain subject to the provisions of such Acts as if this Act had not been passed and those provisions shall for the purpose of this enactment continue in force notwithstanding the provisions of the section of this Act whereof the marginal note is "Acts of 1866 1878 and 1896 to cease to apply."

Acts of 1866 1878 and 1896 to cease to apply.

21. Except as hereinbefore provided the Superannuation (Metropolis) Act 1866 section 12 of the Baths and Washhouses Act 1878 and the Poor Law Officers' Superannuation Act 1896 shall cease to apply to the Council and their officers as from the commencement of this Act but this provision shall not affect the payment of any superannuation allowance granted before the commencement of this Act nor any right or liability acquired or accrued nor anything duly done or suffered before the commencement of this Act.

Arbitration.

22. Any question which may arise between the Council and any officer as to the right to or the amount of a superannuation allowance or the amount of the contribution of such officer shall in default of agreement be submitted to arbitration in accordance with the provisions of the Arbitration Act 1889.

Application of provisions of Friendly Societies Act 1896.

23. The Council shall in respect of the superannuation fund be registered under the Friendly Societies Act 1896 and the provisions of that Act (except the proviso to subsection (1) of section 8 and section 41) so far as they are applicable and are not inconsistent with the provisions of this Act shall apply as if (*a*) the Council were a society to which that Act applies and were the trustees of such society (*b*) the provisions of this Act were the rules of such society (*c*) the superannuation fund were

the fund of such society (*d*) the contributors to the fund were the members of such society and (*e*) as if the accounts of the superannuation fund as audited by the district auditor appointed by the Local Government Board were the annual return of the receipts and expenditure funds and effects required by section 27 of the said Act.

Part III.

Pensions.

Title of servants to pensions.

24. Subject to the provisions of this Act every servant who shall have completed ten years' service and shall become incapable of discharging his duties with efficiency by reason of permanent infirmity of mind or body (other than permanent incapacity due to an injury in respect of which he receives compensation under the Workmen's Compensation Act 1906 or any scheme made thereunder) or have attained the age of sixty years shall be entitled on resigning or otherwise ceasing to hold his employment to receive during life out of the pension fund a pension according to the scale by this Act provided:

Provided always that notwithstanding anything in this Act contained any pension which may be granted to any servant who at the commencement of this Act shall have attained the full age of sixty years shall be paid out of the general rate and not out of the pension fund:

And further provided that any servant who in respect of permanent incapacity due to an injury receives under the Workmen's Compensation Act 1906 or any scheme made thereunder compensation of a less amount than the pension to which he would have been entitled if he had been entitled to receive a pension under this section shall be entitled to receive the amount by which such pension exceeds such compensation.

Scale of pensions.

25. The scale of pensions to be paid to a servant entitled to a pension pursuant to the provisions of the section of this Act whereof the marginal note is "Title of servants to pensions" who shall have completed thirty years' service shall be as follows (that is to say) :—

A servant who at the time of ceasing to hold his employment was contributing fourpence per week to the fund twelve shillings and sixpence per week;

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A servant who at the time of ceasing to hold his employment was contributing fivepence per week fifteen shillings per week:

A servant who at the time of ceasing to hold his employment was contributing sixpence per week seventeen shillings and sixpence per week:

A servant who at the time of ceasing to hold his employment was contributing sevenpence per week one pound per week:

A servant who at the time of ceasing to hold his employment was contributing eightpence per week twenty-two shillings and sixpence per week.

The pension to be paid to a servant who becomes entitled to and receives a pension before he has completed thirty years' service shall be reduced by one thirtieth for every year's or part of a year's service less than thirty years and a pension to be paid to a servant who becomes entitled to and receives a pension after he has completed thirty years' service shall be increased by one thirtieth for every complete year of service over and above thirty years up to a maximum of forty years' service:

Provided that in the event of a servant being reduced to a lower wage by reason of change of establishment alteration in duties or of any other cause whatsoever he may if he so desire continue to contribute to the pension fund at the same rate as at the time such change or alteration took place in which case he shall be entitled to the scale of pension covered by such contribution.

Obligations of servants to contribute.

26. Subject to the provisons of this Act every servant in the employment of the Council shall contribute to the pension fund according to the scale provided by this Act such amount to be deducted by the Council from the wages and emoluments payable to him and to be carried to the credit of and form part of the pension fund.

Scale of contributions to pension fund.

27. The amounts to be deducted for the purposes of the pension fund shall be as follows (that is to say):—

In the case of servants whose wages and emoluments other than overtime do not exceed twenty-five shillings per week fourpence per week;

In the case of servants whose wages and emoluments other than overtime exceed twenty-five shillings per week but do not exceed thirty shillings per week fivepence per week:

In the case of servants whose wages and emoluments other than overtime exceed thirty shillings per week but do not exceed thirty-five shillings per week sixpence per week:

In the case of servants whose wages and emoluments other than overtime exceed thirty-five shillings per week but do not exceed forty shillings per week sevenpence per week:

In the case of servants whose wages and emoluments other than overtime exceed forty shillings per week eightpence per week:

Provided that in the case of any servant whose wages and emoluments other than overtime do not exceed twenty shillings per week no such deduction shall be made except on the request in writing of such servant and after such request the subsequent period of service of such servant shall be reckoned "years' service" under the provisions of this Act but any servant from whose wages and emoluments no such deduction is made shall not be entitled to receive any pension gratuity or other benefit under this Act.

Pension fund.

28.—(1) The Council shall establish and administer a pension fund to which shall be carried and credited—

(A) A sum hereinafter called "the primary annual contribution" to bear such a proportion to the total wages of the servants as hereinafter provided;

(B) All contributions of servants deducted as in this Act provided;

(C) All dividends and interest arising out of the investment of the pension fund or any part thereof; and

(D) Such amount out of the general rate as may be required to meet any deficiency on the pension fund.

(2) The primary annual contribution shall be charged annually to the general rate and to the account of the Council's electricity undertaking respectively Provided that the contribution from the Council's electricity undertaking shall bear the same

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proportion to the total amount of the primary annual contribution as the total wages of the servants employed in the electricity undertaking of the Council bears to the total wages of the whole number of servants employed by the Council.

(3) The following shall be charged upon the pension fund (namely):—

(A) Pensions made in pursuance of this Act;

(B) Contributions or parts of contributions returned or paid in pursuance of this Act.

Power to contribute to provident fund.

29. The Council shall in addition to the other powers conferred upon them by this Act but not in substitution therefor be empowered at their discretion to contribute out of the general rate and the funds of the Council's electricity undertaking in respect of servants employed in that undertaking to the funds of a society registered under the Friendly Societies Act 1896 constituted exclusively from amongst their servants or some of them for the purpose of providing by contributions or subscriptions of the members of such society with the aid of donations or subscriptions from the Council and others for amongst other matters—

The relief or maintenance of the members of such society during sickness;

The relief or maintenance of the orphan children of deceased members of such society;

Insuring the payment of money on the death of a member;

The funeral expenses of a member or the wife of a member of such society.

In the event of the Council contributing to such society as aforesaid then and in such case they shall have power if they think fit without any further authority than is contained in this section and on such terms and conditions and subject to such restrictions and reservations in every respect as they think expedient to contribute to the funds of such society in manner following (that is to say):—

They may contribute out of the general rate and the funds of the Council's electricity undertaking respectively such a sum as they may from time to time determine not exceeding

such an amount as would be equivalent to an aggregate of twopence for each and every weekly contribution to be made to the funds of such society of not less than fourpence by the members thereof respectively Provided that the contribution to be made out of the funds of the Council's electricity undertaking shall be calculated upon the amount of the weekly contributions to be made to the funds of the said society by such of the members thereof as are employed in the said electricity undertaking.

Provided that nothing in this Act contained shall render it compulsory upon any servant of the Council to become a member of any society which may be constituted as aforesaid.

Application of certain sections of Part II.

30. The sections of Part II. of this Act whereof the marginal notes are "Forfeiture for misconduct" "Return of "contributions and power to grant gratuities and superannuation "allowances in certain cases" "Payments at death of officer in certain cases" "Return of contributions in case of death" "Notice of proposal to return contributions or grant gratuity" "Allowance not assignable" "Actuarial investigation" "Investment of superannuation fund" "Saving for existing officers" "Acts of 1866 1878 and 1896 to cease to apply" "Arbitration" and "Application of provisions of Friendly Societies Act 1896" shall with the necessary modifications extend and apply to and for the purposes of this Part of this Act and for such purposes the said sections shall be construed as if the words "servant" "pension fund" "pension" and "age of sixty years" had been substituted therein for the words "officer" "superannuation fund" "superannuation allowance" and "age of sixty-five years" respectively wherever they occur:

Provided that nothing contained in the section of Part II. of this Act whereof the marginal note is "Acts of 1866 1878 and 1896 to cease to apply" shall extend or apply to the case of any servant from whose wages and emoluments no deduction is made under the section of this Part of this Act whereof the marginal note is "Scale of contributions to pension fund" and any such servant who would be entitled to any benefits conferred by the Superannuation (Metropolis) Act 1866 or the Poor Law Officers' Superannuation Act 1896 shall remain subject to the provisions of such Acts as if this Act had not been passed.

A.D. 1911.

PART IV.

FINANCIAL.

Costs of Act.

31. All the costs charges and expenses preliminary and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Council out of the general rate.

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