# CHAPTER 63.

An Act to amend the Prison Acts of 1877, so far as regards the Apportionment of certain Superannuation Allowances between the Treasury and the Local Authorities. [16th August 1878.]

40 & 41 Vict. c. 21. 40 & 41 Vict. c. 49. 40 & 41 Vict. c. 53.

WHEREAS by the sections of the Prison Acts of 1877 mentioned in the First Schedule to this Act, it is provided that an annuity by way of superannuation allowance granted to an existing officer of a prison as mentioned in those sections shall be apportioned as therein mentioned, and one portion thereof shall be paid by the local authority out of the rates therein mentioned, and the residue out of moneys provided by Parliament:

And whereas in many cases the amount payable under the said apportionment, either by the local authority out of the rates or by the Treasury out of moneys provided by Parliament, will be very small, and it is expedient to provide for the commutation of such amount; that is to say, for the payment by the Treasury to the local authority, or by the local authority to the Treasury, of the capital value of their share of the annuity, so that the grantee of such annuity may receive the whole of it from one source only:

Be it therefore enacted by the Queen'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:

Short title.

**1.** This Act may be cited as the Prison (Officers Superannuation) Act, 1878.

Commutation by prison authority or Treasury of apportioned part of superannuation allowance to existing officer of prison.

**2.** Where an annuity granted by way of superannuation allowance to an existing officer of a prison under the sections of the Prison Acts mentioned in the First Schedule to this Act is apportioned to be paid partly by the Treasury out of moneys provided by Parliament and partly by the local authority out of rates, the Treasury and the local authority may agree for the commutation of the share of the annuity apportioned to either of them; that is to say, for the payment by that one to the other of them of the capital value of such share ascertained according to the tables contained in the Second Schedule to this Act.

Where the share of the annuity apportioned to be paid by the Treasury is less than twenty pounds a year, the Treasury may require the local authority to accept commutation of that share.

In the case of an annuity as to which the Treasury make no such requirement, the local authority may require the Treasury to accept commutation of the share apportioned to be paid by the local authority.

The Treasury or the local authority, on receiving payment under any agreement, or payment or tender under any requirement, of the sum for commutation of the share of an annuity, shall in every year raise and pay that share to the annuitant out of the same moneys or rates and in the like manner as the rest of the annuity, and the payers or tenderers of the said sum shall be free from all liability in respect of such annuity.

Payment and application of amount of commutation.

**3.** Any sum paid by the Treasury to the local authority for commutation of a share of an annuity shall be paid out of moneys provided by Parliament, and shall be applied in such manner as the local authority direct in aid of the rates out of which the annuity is payable, and may, if the local authority so direct, be invested in the name of the local authority, or of their clerk, in any securities in which trustees are for the time being authorised by law to invest, and such investment may be from time to time sold, and the proceeds of such sale and the income arising from the investment may be applied from time to time as the local authority direct in aid of the said rates.

Any sum paid to the Treasury by the local authority for commutation of a share of an annuity shall be paid out of the rates out of which the said share is payable, and shall be paid into the Exchequer.

Provision as to local authorities contributing to annuity.

**4.** Where two or more local authorities are liable to pay shares of the same annuity to an officer of a prison, each of those authorities shall be deemed to be a local authority for the purposes of this Act, but any such local authority shall not be entitled to require the

Treasury to accept commutation of the share of an annuity if the Treasury have already commuted the share of that annuity payable by the Treasury.

The said local authorities may agree together for the commutation of the share of any such annuity which is payable by either of them, and the provisions of this Act shall apply accordingly.

Definitions.

**5.** For the purposes of this Act—

The expression "Treasury" means the Commissioners of Her Majesty's Treasury.

The expression "local authority" means—

(*a.*) as regards England, the prison authority within the meaning of the Prison Act, 1877; and 40 & 41 Vict. c. 21.

(*b.*) as regards Scotland, the Commissioners of Supply of the county or the magistrates of a burgh; and

(*c.*) as regards Ireland, the grand jury of a county or a town council having the powers of a grand jury.

The expression "clerk of a local authority" means, as regards Ireland, the secretary of the grand jury, or in the case of a town council the town clerk, and such secretary shall for the purpose of an investment made in pursuance of this Act, be a corporation sole.

The expression "rates" includes any rates, assessment, cess, or other funds out of which a share of the annuity is payable by a local authority in pursuance of the Acts mentioned in the First Schedule to this Act.

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# SCHEDULES.

## FIRST SCHEDULE.

### PRISON ACTS REFERRED TO.

| Session and Chapter. | Short Title of Act. | Sections referred to. |
|---|---|---|
| 40 & 41 Vict. c. 21. | The Prison Act, 1877 | Section thirty-six. |
| 40 & 41 Vict. c. 49. | The General Prisons (Ireland) Act, 1877 | Section thirty-two. |
| 40 & 41 Vict. c. 53. | The Prisons (Scotland) Act, 1877 | Section forty-three. |

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## SECOND SCHEDULE.

### COMMUTATION TABLE.

TABLE showing the Capital Value of an Annuity of 1*l.* according to the Age and Sex of the Annuitant.

*Note.*—This table is identical with the Post Office Table of immediate life annuities made under 27 & 28 Vict. c. 43. s. 6.

| Age of the Annuitant at the Time of Commutation. | Males. | Females. | Age of the Annuitant at the Time of Commutation. | Males. | Females. |
|---|---|---|---|---|---|
| | £ s. d. | £ s. d. | | £ s. d. | £ s. d. |
| If 21 and under 22 | 19 10 11 | 21 3 11 | If 31 and under 32 | 18 6 11 | 19 14 9 |
| 22 „ 23 | 19 9 0 | 21 1 4 | 32 „ 33 | 18 3 7 | 19 11 0 |
| 23 „ 24 | 19 7 2 | 20 18 9 | 33 „ 34 | 18 0 1 | 19 7 6 |
| 24 „ 25 | 19 5 4 | 20 16 0 | 34 „ 35 | 17 16 4 | 19 4 0 |
| 25 „ 26 | 19 3 6 | 20 13 2 | 35 „ 36 | 17 12 5 | 19 0 5 |
| 26 „ 27 | 19 1 5 | 20 10 3 | 36 „ 37 | 17 8 3 | 18 16 11 |
| 27 „ 28 | 18 18 10 | 20 7 3 | 37 „ 38 | 17 4 1 | 18 13 4 |
| 28 „ 29 | 18 16 2 | 20 4 2 | 38 „ 39 | 16 19 9 | 18 9 7 |
| 29 „ 30 | 18 13 3 | 20 1 0 | 39 „ 40 | 16 15 3 | 18 5 9 |
| 30 „ 31 | 18 10 2 | 19 17 9 | 40 „ 41 | 16 10 9 | 18 1 10 |

| Age of the Annuitant at the Time of Commutation. | Males. | | | Females. | | | Age of the Annuitant at the Time of Commutation. | Males. | | | Females. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | £ | s. | d. | £ | s. | d. | | £ | s. | d. | £ | s. | d. |
| If 41 and under 42 - | 16 | 6 | 0 | 17 | 17 | 8 | If 61 and under 62 - | 10 | 4 | 10 | 11 | 18 | 1 |
| 42 „ 43 - | 16 | 1 | 0 | 17 | 13 | 5 | 62 „ 63 - | 9 | 18 | 3 | 11 | 10 | 6 |
| 43 „ 44 - | 15 | 15 | 10 | 17 | 9 | 0 | 63 „ 64 - | 9 | 11 | 5 | 11 | 2 | 11 |
| 44 „ 45 - | 15 | 10 | 5 | 17 | 4 | 5 | 64 „ 65 - | 9 | 4 | 7 | 10 | 15 | 4 |
| 45 „ 46 - | 15 | 4 | 9 | 16 | 19 | 7 | 65 „ 66 - | 8 | 17 | 10 | 10 | 7 | 8 |
| 46 „ 47 - | 14 | 18 | 11 | 16 | 14 | 8 | 66 „ 67 - | 8 | 11 | 1 | 10 | 0 | 1 |
| 47 „ 48 - | 14 | 12 | 8 | 16 | 9 | 6 | 67 „ 68 - | 8 | 4 | 9 | 9 | 12 | 6 |
| 48 „ 49 - | 14 | 6 | 2 | 16 | 4 | 1 | 68 „ 69 - | 7 | 18 | 7 | 9 | 5 | 0 |
| 49 „ 50 - | 13 | 19 | 7 | 15 | 18 | 7 | 69 „ 70 - | 7 | 12 | 5 | 8 | 17 | 5 |
| 50 „ 51 - | 13 | 12 | 11 | 15 | 12 | 9 | 70 „ 71 - | 7 | 6 | 4 | 8 | 9 | 11 |
| 51 „ 52 - | 13 | 6 | 2 | 15 | 6 | 9 | 71 „ 72 - | 7 | 0 | 6 | 8 | 2 | 8 |
| 52 „ 53 - | 12 | 19 | 9 | 15 | 0 | 5 | 72 „ 73 - | 6 | 14 | 10 | 7 | 15 | 7 |
| 53 „ 54 - | 12 | 13 | 4 | 14 | 14 | 0 | 73 „ 74 - | 6 | 9 | 1 | 7 | 8 | 7 |
| 54 „ 55 - | 12 | 7 | 2 | 14 | 7 | 4 | 74 „ 75 - | 6 | 3 | 1 | 7 | 1 | 11 |
| 55 „ 56 - | 12 | 1 | 0 | 14 | 0 | 7 | 75 „ 76 - | 5 | 17 | 0 | 6 | 15 | 5 |
| 56 „ 57 - | 11 | 15 | 0 | 13 | 13 | 9 | 76 „ 77 - | 5 | 10 | 8 | 6 | 8 | 11 |
| 57 „ 58 - | 11 | 9 | 1 | 13 | 6 | 10 | 77 „ 78 - | 5 | 3 | 7 | 6 | 2 | 9 |
| 58 „ 59 - | 11 | 3 | 3 | 12 | 19 | 9 | 78 „ 79 - | 4 | 16 | 6 | 5 | 17 | 1 |
| 59 „ 60 - | 10 | 17 | 3 | 12 | 12 | 8 | 79 „ 80 - | 4 | 9 | 10 | 5 | 11 | 10 |
| 60 „ 61 - | 10 | 11 | 2 | 12 | 5 | 6 | 80 or any greater age - | 4 | 3 | 3 | 5 | 7 | 0 |

*Note.*—Where the share of an annuity is a fraction of a pound, the capital value of that share shall be calculated proportionally in accordance with the above table.

## CHAPTER 64.

**An Act to raise the sum of two million pounds by Exchequer Bonds, Exchequer Bills, or Treasury Bills for the Service of the year ending on the 31st day of March 1879.** [16th August 1878.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards raising the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the Queen'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:

Treasury may raise 2,000,000*l.* by Exchequer bonds or by Exchequer or Treasury bills.
29 & 30 Vict. c. 25.
40 & 41 Vict. c. 2.

**1.** Towards raising the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and seventy-nine, it shall be lawful for the Commissioners of Her Majesty's Treasury, at any time or times not later than the said thirty-first day of March, to raise any sum or sums, not exceeding in the whole two million pounds, by the issue of Exchequer bonds, Exchequer bills, or Treasury bills in manner provided by the Exchequer Bills and Bonds Act, 1866, and the Treasury Bills Act, 1877, so, however, that no Exchequer bond shall be made out for any sum less than one hundred pounds.

Every Exchequer bond issued in pursuance of this Act shall provide for the paying off of such bond at par at any period not exceeding three years nor less than twelve months from the date of such bond.

Payment of interest and repayment of principal.

**2.** The interest on all Exchequer bonds issued in pursuance of this Act shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or out of the growing produce thereof.