CHAPTER iii.

An Act to substitute new rules for certain of the existing rules of the Southern Railway Superannuation Fund established by the Southern Railway (Superannuation Fund) Act 1927 to amend that Act and for other purposes. [22nd May 1941.]

WHEREAS it is expedient that new rules should be substituted for certain of the existing rules of the Southern Railway Superannuation Fund established by the Southern Railway (Superannuation Fund) Act 1927 and that the said Act should be amended in the manner provided by this Act: 17 & 18 Geo. 5. c. xi.

And whereas the purposes 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 (that is to say):—

Short title.

1. This Act may be cited for all purposes as the Southern Railway (Superannuation Fund) Act 1941.

Interpretation.

2. In this Act unless the context otherwise requires—

"the Company" means the Southern Railway Company;

"the Act of 1927" means the Southern Railway (Superannuation Fund) Act 1927;

"the fund" means the Southern Railway Superannuation Fund established by the Act of 1927;

" the existing rules " means the rules of the fund set forth in the schedule to the Act of 1927 as amended by section 44 (Alteration of contributions of certain new members of superannuation fund and of benefits of certain members) of the Southern Railway Act 1935 and section 51 (As to joint annuities of certain members of superannuation fund) of the Southern Railway Act 1936 and as altered by a resolution of members of the fund passed on the sixth day of April nineteen hundred and thirty-six and subsequently duly confirmed and " existing rule " has a corresponding meaning;

25 & 26 Geo. 5. c. xlix.

26 Geo. 5. & 1 Edw. 8. c. lxx.

" the appointed day " means the first day of July nineteen hundred and forty-one.

Substitution of new rules for certain existing rules.

3. On and from the appointed day the rules set forth with distinctive numbers in the schedule to this Act shall be substituted for the existing rules having the corresponding numbers and the regulations set forth in the appendix to the said schedule shall be substituted for the regulations set forth in the schedule referred to in existing rule 21A:

Provided that the existing rules and regulations shall continue to apply and have effect as respects any member of the fund who has retired from the service of the Company before the appointed day.

As to joint annuities of certain members.

4. On and from the appointed day section 51 (As to joint annuities of certain members of superannuation fund) of the Southern Railway Act 1936 shall cease to have effect and the provisions of rule 21A set forth in the schedule to this Act and of the regulations set forth in the appendix to such schedule or such provisions as from time to time altered pursuant to the Act of 1927 (as amended by this Act) and the rules of the fund shall notwithstanding anything contained in the Act of 1927 apply in relation to the annuity of any member of the fund who has exercised option (*a*) referred to in subsection (2) of rule 12 of the existing rules.

Amendment of Act of 1927.

5.—(1) On and from the appointed day section 3 (Rules of fund) of the Act of 1927 shall be read and have effect as if subsection (2) thereof and the words " (other than an alteration authorised by subsection (2) of this section) " in subsection (1) were omitted therefrom.

(2) On and from the passing of this Act subsection (3) of section 5 (Formation maintenance and application of fund) of the Act of 1927 shall be read and have effect as if the words " being in every case purposes to which capital is properly applicable " were inserted after the word " undertaking " where that word secondly occurs in that subsection.

As to compensation under Railways Act 1921. 11 & 12 Geo. 5. c. 55.

6. Notwithstanding anything contained in the Railways Act 1921 or in any scheme relating to the Company made thereunder no officer or servant of the Company shall be entitled to claim or to be paid compensation for any pecuniary loss which he may suffer by reason of the substitution of new rules and regulations for existing rules and regulations effected by section 3 (Substitution of new rules for certain existing rules) of this Act.

Costs of Act.

7. 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.

The SCHEDULE referred to in the foregoing Act.

Southern Railway Superannuation Fund Rules.

Interpretation.

1. In the construction of these rules 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 Southern Railway Superannuation Fund established by the Southern Railway (Superannuation Fund) Act 1927;

"The Company" means the Southern Railway Company;

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

"The service" means the service of the Company or of any company whose undertaking now forms part of the undertaking of the Company;

"Existing funds" or "existing fund" means the following funds or any of them as the case may be (that is to say) the London and South Western Railway Superannuation Fund the South Eastern and Chatham Railways Pension Fund and the London Brighton and South Coast Railway Pension Fund so far as regards class 1 of that fund;

"The Brighton fund" means the London Brighton and South Coast Railway Pension Fund;

"The corporation" means the Railway Clearing System Superannuation Fund Corporation;

"Annual salary" or "salary" means a salary fixed at a rate per annum in contradistinction to weekly wages or other form of remuneration;

"Salaried officer" means an officer or servant of the Company remunerated by an annual salary;

"Member" means a contributing member transferred from an existing fund or the corporation and a salaried officer from time to time contributing to the fund and does not include a recipient from the fund;

"The committee" means the committee from time to time appointed under these rules;

"The contributors' committee-men" means the members of the committee from time to time elected by the members;

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

"The auditors" and "the secretary" means respectively such respective officers from time to time elected or appointed under these rules;

"The actuary" means the actuary or actuaries from time to time appointed by the committee with the assent of the directors;

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

"Contributors' auditor" means the auditor from time to time elected by the members;

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

"Annual meeting" means the annual general meeting of the members duly convened and constituted and any adjourned holding thereof;

"Extraordinary meeting" means an extraordinary general meeting of the members duly convened and constituted and any adjourned holding thereof;

"General meeting" means an annual meeting or an extraordinary meeting;

"The Act" means the Southern Railway (Superannuation Fund) Act 1927;

"Month" means calendar month;

Words in the singular include the plural;

Words in the plural include the singular;

Words importing the masculine gender include females.

Membership of fund.

3. The following persons shall subject to the provisions of these rules and so long as the Company make membership of the fund a condition of service be or become members of the fund:—

(i) All salaried officers who are contributing members of the fund on the first day of July 1941;

(ii) Any salaried officer entering the service on or after the first day of July 1941 and whose age at the date of such entry does not exceed in the case of a male forty years and in the case of a female thirty-five years;

(iii) Any other servant of the Company who on or after the first day of July 1941 becomes a salaried officer at an age in the case of a male not exceeding forty years or in the case of a female not exceeding thirty-five years:

Provided that any servant of the Company who is a member of the Brighton fund and who becomes a salaried officer of the Company and who upon promotion would under the rules of that fund have been entitled to become a contributing member in class 1 of that fund shall upon such promotion be entitled to the following options and thereupon the secretary shall give to such servant notice thereof in writing with a request that within one month after the receipt of such notice he shall inform the secretary in writing which of such options he desires to exercise Such options are either—

(*a*) to remain a member of the Brighton fund in lieu of becoming a member of the fund;

(*b*) to become a member of the fund and (for the purpose of determining the benefits to which he will be entitled under the rules) to have his membership of the fund calculated as if the fund had been established and his membership of the fund had commenced on the date at which he became a member of the Brighton fund.

Upon the exercise of option (*b*) his contributions to the Brighton fund shall thereupon be placed to his credit in the fund subject to his making a back payment to the fund of the difference between the contributions he has made to the Brighton fund and those he would have made to the fund if the fund had been established and his membership thereof had commenced on the date at which he became a member of the Brighton fund together with compound interest on such back payment at the rate of 4½ per cent. per annum and the Company shall also make a back payment to the fund on his behalf of an amount equivalent to such difference together with compound interest thereon at the rate aforesaid such back payments to be based on his salary or wages throughout the period of his membership of the Brighton fund; or

(*c*) to become a member of the fund and (for the purpose of determining the benefits to which he will be entitled under the rules) to have an equitable number of years added to his years of actual membership of the fund which added years together with the years during which he shall be a member of the fund shall for the purpose of calculating benefits under the rules be deemed to be the years in respect of which he has contributed to the fund and any difference which may arise as to the equitable number of years to be so added shall be determined by the actuary.

Upon the exercise of option (*c*) his contributions to the Brighton fund shall thereupon be placed to his credit in the fund and the number of such added years as aforesaid shall be based on the amount of the contributions to the Brighton fund made by him and on his behalf throughout the period of his membership of the Brighton fund together with compound interest on such contributions at the rate of 4 per cent. per annum.

In ascertaining in accordance with the foregoing provisions of this proviso the amount of such back payment or as the case may be the number of such added years in the case of any such servant of the Company who becomes eligible to be a member of the fund on or after the first day of July 1941 he shall be deemed for the purpose of rule 12 in its application to those provisions to have been a member who was admitted to the fund before that day and to whom scale (B) of that rule applies:

Provided also that if any such servant of the Company as is mentioned in the preceding proviso shall not give such a notice as aforesaid before the expiration of the said period of one month he shall be deemed to have exercised option (*c*).

Female members.

4. Any permanent female clerk entering the service on or after the first day of July 1941 and coming within the provisions of the memorandum of agreement dated the 26th day of August 1920 and made between the committee of general managers acting on behalf of the Minister of Transport the committee of the Railway Clerks' Association and the committee of the National Union of Railwaymen in regard to rates of pay and conditions of service of women and girl clerks shall be deemed to be a salaried officer for the purpose of these rules.

Salaried officers over 40 years of age.

5.—(1) Subject to the provisions of these rules the committee may with the assent of the directors admit as a member any salaried officer whose age exceeds forty years but does not exceed fifty-five years at the date when he becomes a salaried officer provided that he is in all other respects eligible to become a member:

Provided that any such salaried officer whose age exceeds fifty years at the date when he becomes a salaried officer shall not be admitted as a member unless—

(*a*) he consents to ante-date his membership to commence as from the date of his attaining the age of forty-nine in accordance with rules 8 and 9; and

(*b*) the directors consent to pay the Company's share of the back contributions.

(2) In the case of a female member this rule shall have effect as if the ages mentioned therein were reduced by five years.

Special conditions of admission.

7. The committee may with the assent of the directors impose whatever special conditions they think fit on the admission as a member under these rules of any salaried officer or other person not entitled to become a member otherwise than with the assent of the directors and the committee.

Without prejudice to the generality of the foregoing provisions in the case of a person who becomes eligible to be a member of the fund on or after the first day of July 1941 and who being a male is deemed to have been admitted to the fund at an age exceeding thirty years or being a female is deemed to have been admitted to the fund at an age exceeding twenty years the committee may with the assent of the directors require such a member on admission to contribute to the fund in addition to the appropriate percentage of salary as provided by the rules such amount or amounts as the committee shall from time to time with the advice of the actuary determine to be equitable for the purpose of securing to the member the benefits of the fund and the Company shall also contribute to the fund equivalent amount or amounts.

Ante-dating of membership.

8. The committee may with the assent of the directors at the time of admission as a member of a person in the case of a male over forty years of age or in the case of a female over thirty-five years of age permit the membership to be deemed to commence as from the date of his attaining any age not less than the age of forty years or thirty-five years as the case may be and subject to back contributions from that date being paid by such person and by the Company in respect of such person at the rate appropriate to his age at such date

according to the scale of contributions in force at the date on which he becomes eligible to be a member of the fund together with compound interest at the rate of 4½ per cent. per annum but subject as provided by rule 9 in no such case shall the membership cover a period prior to such person's entry into the employment of the Company or any company whose undertaking forms part of the undertaking of the Company.

Such back contributions shall be based on such person's salary at the date on which he becomes eligible to be a member of the fund.

Rate of members' contributions.

12. Subject to the provisions of these rules every member shall contribute a sum equal to such percentage of his salary as is provided in the following scales:—

Scale.	Member.	Age at last birthday before commencement of membership of existing fund or corporation or fund.	Percentage of salary.
(A)	A member who was a contributor to an existing fund or the corporation and who elected to receive from the fund the same benefits as those to which he would have become entitled under the rules of such existing fund or the corporation—		
	In the case of—		
	(i) a contributor to the London & South Western Railway Superannuation Fund who was admitted to that fund—		
	(*a*) before 1st January 1910	—	4
	(*b*) on or after 1st January 1910 and before 1st September 1914	29 and under	4
		30–34	4½
		35–39	5½
		40–44	6½
	(*c*) on or after 1st September 1914	25 and under	4
		26–27	4¾
		28–30	5
		31	5¼
		32–35	5½
		36–39	6
		40–42	6½
		43–44	7
	(ii) a contributor to the South Eastern & Chatham Railways Pension Fund	25 and under	4
		26–27	4¾
		28–30	5
		31	5¼
		32–35	5½
		36–39	6
		40–42	6½
		43–44	7
		45–46	7¾
		47	8
		48–49	8¼

Scale.	Member.	Age at last birthday before commencement of membership of existing fund or corporation or fund.	Percentage of salary.
	(iii) a contributor to the Brighton fund	25 and under	4
		26–27	4¾
		28–30	5
		31	5¼
		32–35	5½
	(iv) a contributor to the corporation - -	24	4
(B)	(i) A member who was a contributor to an existing fund or the corporation and to whom the foregoing scale (A) does not apply but so that he shall not be required to pay a higher rate of contribution than he was paying immediately before the 1st day of January 1928 by more than 1½ per cent. - - - - - - -	25 and under	4
		26–27	4¾
		28–30	5
		31	5¼
		32–35	5½
		36–39	6
		40–42	6½
		43–44	7
	(ii) A member who was not a contributor to an existing fund or the corporation and who was admitted to the fund before 1st July 1941 - - - -	45–46	7¾
		47	8
		48–49	8¼
	(iii) A member of the Brighton fund who becomes eligible to be a member of the fund on his becoming a salaried officer on or after the 1st July 1941 - -		
(C)	A member who becomes eligible to be a member of the fund on or after 1st July 1941 and to whom the foregoing paragraph (iii) of scale (B) does not apply.	21 and under	5
		22–24	5¼
		25–27	5½
		28–30	5¾
		31–33	6
		34–35	6¼
		36–37	6½
		38–39	6¾
		40–41	7
		42	7¼
		43–44	7½
		45–46	7¾
		47	8
		48–49	8¼

Change of grade.

16. A member who has transferred to a grade in which employees are not ordinarily eligible for membership of the fund may with the assent of the directors the committee and the member remain a member but failing such assent he shall cease to be a member and shall be entitled to a refund of his contributions as if rule 30 applied to him.

Benefits for certain members of existing funds.

19. Except as respects rule 21A and as provided by the second proviso to rule 21 and by rules 22 24 26 27 28 and 29 any member who was a member of an existing fund or the corporation and who elected to receive from the fund the same benefits as those to which he would have become entitled under the rules of such existing fund or

the corporation shall not be entitled to the benefits of the fund as prescribed by the following rules but shall be entitled to receive from the fund the same benefits as those to which he would have become entitled under the rules of the existing fund to which he belonged or of the corporation as the case may be if the Act had not been passed.

Scale of superannuation allowances.

21. Every member who having been a member of the fund for ten years or upwards and being a male attains the age of sixty years or being a female attains the age of fifty-five years shall on leaving the service cease to be a member and shall be entitled to receive from the fund by way of superannuation allowance a capital sum and an annuity for life.

Such capital sum shall be a sum equal to one-fortieth of the annual salary of which the member was in receipt at the date of his retirement multiplied by the number of completed years not exceeding forty during which he shall have been a member.

Such annuity shall be an annual sum equal to the aggregate of—

(*a*) One one hundred and twentieth of the average annual salary of which he shall have been in receipt throughout the whole period during which he shall have been a member multiplied by the number of completed years not exceeding forty during which he shall have been a member; and

(*b*) One one hundred and twentieth of the average annual salary of which he shall have been in receipt during the period of seven years immediately prior to the date of his retirement from the service multiplied by the number of completed years not exceeding forty during which he shall have been a member:

Provided that if he shall have been a member for more than forty years the calculation of his average salary for the whole period of contribution shall be based upon the average annual salary for the last forty years of his membership of an existing fund or the corporation or of the fund:

Provided also that notwithstanding anything contained in the rules of the Brighton fund any female member who was a member of that fund and who elected to receive from the fund the same benefits as those to which she would have become entitled under the rules of the Brighton fund shall be entitled on attaining the age of fifty-five years and retiring from the service at any time before attaining the age of sixty years to receive from the fund the same benefits (subject to the provisions of rule 24 of these rules) as those to which she would have become entitled under the rules of the Brighton fund if she had retired from the service by reason of ill-health.

Joint annuities.

21A.—(1) Subject to the regulations set forth in the appendix to these rules and forming part of this rule a member may with the assent of the committee and the directors elect that in lieu of the whole or part of the annuity to which he is entitled in accordance with the rules a joint annuity shall be paid out of the fund during the joint lives of the member and such a joint annuitant as is hereafter mentioned and the life of the survivor of them.

(2) The joint annuitants (in this rule and the said regulations referred to as " the joint annuitant ") to whom this rule applies are—

(*a*) in the case of a male member having a wife alive the member's wife;

(*b*) in the case of a male member not having a wife alive or in the case of a female member one dependent relative who if younger than the member in the case of a male member is not more than fifteen years or in the case of a female member is not more than ten years younger than the member.

(3) Any question whether a person is a dependent relative of a member shall be decided by the committee who may require the member to furnish such evidence as they may think proper and their decision shall be final.

(4) If a retired member dies after he has commenced to receive a joint annuity leaving a joint annuitant surviving him any sum (except any balance of joint annuity due to him) which but for this rule would be payable out of the fund upon his death shall be retained in the fund and upon the death of the joint annuitant there shall be deducted from any such sum the amount of the joint annuity received by the joint annuitant and the sum (if any) arrived at after such deduction shall be payable to the joint annuitant's legally constituted representative and the provisions of rule 29 shall apply to such payment as if the joint annuitant were a deceased annuitant within the meaning of that rule.

(5) If a member to whom a joint annuity has been granted shall die whilst in the service after attaining the age in the case of a male member of sixty years or in the case of a female member of fifty-five years leaving a joint annuitant surviving him—

(*a*) a sum equivalent to any capital sum which would have been payable to him under rule 21 if he had retired from the service on the day before that on which he died shall be payable out of the fund to his legally constituted representative;

(*b*) any further sum which but for this rule would be payable out of the fund upon his death shall be retained in the fund and upon the death of the joint annuitant there shall be deducted from any such further sum the amount of the joint annuity received by the joint annuitant and the sum (if any) arrived at after such deduction shall be payable to the joint annuitant's legally constituted representative and the provisions of rule 29 shall apply to such payment as if the joint annuitant were a deceased annuitant within the meaning of that rule.

Incapacity after ten years' membership.

22.—(1) Any member who having been a member for ten years or upwards retires from the service before attaining in the case of a male the age of sixty years or in the case of a female the age of fifty-five years in consequence of incapacity to perform his duties arising from accident or 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 such retirement to a capital sum and to an annuity for life calculated in accordance with rule 21 but on the basis of the number of years during which he shall then have been a member:

Provided that an annuity payable under this rule shall in no case be less than the undermentioned sums:—

Completed years of membership.	Members (other than females admitted on or after 1st July 1941).	Female members admitted on or after 1st July 1941.
	£	£
25 or over - - - - - - -	100	78
24 - - - - - - - -	94	76
23 - - - - - - - -	91	74
22 - - - - - - - -	88	72
21 - - - - - - - -	85	70
20 - - - - - - - -	82	68
19 - - - - - - - -	79	66
18 - - - - - - - -	76	64
17 - - - - - - - -	74	62
16 - - - - - - - -	72	60
10 but less than 16 - - - - -	70	60

Provided also that while any such person in the case of a male is under the age of sixty years or in the case of a female is under the age of fifty-five years—

(*a*) the committee may at any time require him to furnish 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 furnish such evidence they may vary suspend or revoke his annuity;

(*b*) if he recovers sufficiently to be able to earn an income the committee may from time to time vary suspend or revoke his annuity as they may think the circumstances justify;

(*c*) if he recovers sufficiently to return and does return to the employment of the Company the committee may deal with his case in such manner as they shall deem just and reasonable taking all the circumstances into consideration:

Provided further that if his annuity has been varied suspended or revoked as aforesaid he shall on attaining in the case of a male the age of sixty years or in the case of a female the age of fifty-five years be entitled to an annuity for life calculated according to this rule whether his incapacity continues or not and whether or not he is earning an income.

(2) The provisions of the first proviso to paragraph (1) of this rule shall apply in relation to any member who was a member of an existing fund or the corporation and who elected to receive from the fund the same benefits as those to which he would have become entitled under the rules of such existing fund or the corporation.

Incapacity before ten years' membership

23. Any member who not having been a member for ten years retires from the service in consequence of incapacity to perform his duties arising from accident or 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 such retirement to receive from the fund an annuity for life of twenty pounds per annum and except as provided by rule 28 no further claim upon the fund shall be made by or in respect of the member:

Provided that while any such person in the case of a male is under the age of sixty years or in the case of a female is under the age of fifty-five years—

(*a*) the committee may at any time require him to furnish 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 furnish such evidence they may vary suspend or revoke his annuity;

(*b*) if he recovers sufficiently to be able to earn an income the committee may from time to time vary suspend or revoke his annuity as they may think the circumstances justify;

(*c*) if he recovers sufficiently to return and does return to the employment of the Company the committee may deal with his case in such manner as they shall deem just and reasonable taking all the circumstances into consideration:

Provided also that if his annuity has been varied suspended or revoked as aforesaid he shall on attaining in the case of a male the age of sixty years or in the case of a female the age of fifty-five years be entitled to an annuity for life of twenty pounds whether his incapacity continues or not and whether or not he is earning an income.

Minimum annuity.

24.—(1) Except as provided by rule 22 or rule 23 an annuity payable under these rules shall not be less than the sums mentioned in the following table:—

Completed years of membership.	Members (other than females admitted on or after 1st July 1941) retiring on or after attaining age 60.		Female members admitted before 1st July 1941 retiring on or after attaining age 55 but before age 60.	Female members admitted on or after 1st July 1941.
	Salary at date of retirement.			
	£200 or over.	Under £200.		
	£	£	£	£
25 or over - -	120	100	100	78
24 - - - - -	112	96	94	76
23 - - - - -	108	94	91	74
22 - - - - -	104	92	88	72
21 - - - - -	100	90	85	70
20 - - - - -	100	88	82	68
19 - - - - -	92	86	79	66
18 - - - - -	88	84	76	64
17 - - - - -	84	82	74	62
16 - - - - -	80	80	72	60
10 but less than 16	80	80	70	60

(2) Except as provided by rule 22 an annuity payable to any person who was a member of an existing fund or the corporation and who elected to receive from the fund the same benefits as those to which he would have become entitled under the rules of such existing fund or the corporation shall not be less than the sums mentioned in the foregoing table.

Allowances and payments due to persons under disability.

26. When a person who shall have become entitled under these rules to an annuity supplementary annuity or other payment is unable by reason of accident or mental or physical infirmity to manage his affairs or to sign documents the committee may from time to time pay the annuity or supplementary annuity or make such other payment to his wife or other person having charge of him or to the committee of his estate or if the disabled person is in an institution may pay so much of the annuity or supplementary annuity or make such other payment 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.

The provisions of this rule shall apply in relation to any member who was a member of an existing fund or the corporation and who elected to receive from the fund the same benefits as those to which he would have become entitled under the rules of such existing fund or the corporation.

Death before superannuation.

27. If any member shall die without having received a superannuation allowance there shall (subject to the provisions of paragraph (5) of rule 21A) be paid out of the fund to his legally constituted representative a sum equal to one-thirtieth of his annual salary at the date of his death multiplied by the number of completed years during which he shall have been a member or a sum equal to one-half of such salary whichever may be the greater Provided that such sum shall not be less than the total amount of the contributions (excluding interest if any) of such member to the fund and to an existing fund or the corporation together with a sum equal to 2½ per cent. upon the total amount of his salary throughout the whole period during which he shall have been a member of the fund or of the fund and of an existing fund or of the corporation.

The provisions of this rule shall apply in relation to any member who was a member of an existing fund or the corporation and who elected to receive from the fund the same benefits as those to which he would have become entitled under the rules of such existing fund or the corporation but so that in the case of any such member the sum payable under this rule shall not be less than the sum which would have been paid under those rules if such member had been a member of the existing fund or the corporation at the time of his death.

Death after superannuation.

28. If an annuitant under these rules shall die without having received by way of superannuation allowance an amount equal to the sum which would have been payable under the last preceding rule if he had died on the day before that on which he became an annuitant he shall (subject to the provisions of paragraph (4) of rule 21A) be

deemed to have been entitled to such sum and the balance of such sum shall be paid to his legally constituted representative.

The provisions of this rule shall apply in relation to any member who was a member of an existing fund or the corporation and who elected to receive from the fund the same benefits as those to which he would have become entitled under the rules of such existing fund or the corporation.

Payments to dependants of deceased member or annuitant.

29.—(1) If there shall be no legally constituted representative of a deceased member or annuitant and if any sum payable under rules 27 or 28 does not exceed one hundred pounds the committee may in their discretion pay such sum to his widow or child or other next of kin or any of them without requiring a representative to be legally constituted and neither the committee nor the fund shall be liable to make any further payment to any claimant in respect of such deceased member or annuitant.

(2) Before paying any sum under this rule to any such person the committee shall require either—

(*a*) a statutory declaration by that person to the effect that the total net estate of the deceased member or annuitant (including the sum to be paid as aforesaid but after deduction of debts and funeral expenses) does not exceed one hundred pounds; or

(*b*) the production of a certificate from the Commissioners of Inland Revenue to the effect either that no death duties are payable in respect of the said sum or that any duties so payable have been paid.

(3) The provisions of this rule shall apply in relation to any member who was a member of an existing fund or the corporation and who elected to receive from the fund the same benefits as those to which he would have become entitled under the rules of such existing fund or the corporation.

Resignation or dismissal.

30.—(1) Any member who before becoming entitled to a superannuation allowance under these rules shall retire from the service voluntarily or shall be dismissed from the service shall be entitled to receive from the fund the whole amount of his own contributions without interest and shall have no further claim upon the fund Provided that in the case of any member dismissed from the service for dishonesty or fraud the Company shall have a lien upon the amount of his contributions for any sums which may be due from him to the Company and subject to such lien the committee may in their discretion refund such contributions or the balance thereof in whole or in part to his dependants or other person as they may determine in lieu of payment to such member and such payment shall be deemed to be a payment to such member who shall have no claim in consequence thereof against the committee or the fund.

(2) In the case of any member admitted to the fund on or after the first day of July 1941 there shall be deducted from any payment made under this rule an amount equal to any amount of income tax payable by the fund in respect of that payment under or by virtue of section 32 of the Finance Act 1921 as amended by any subsequent enactment.

Temporary substitute for secretary.

66. The committee may at any time appoint subject to the assent of the directors a temporary substitute for the secretary.

Actuary.

71. The committee with the assent of the directors shall appoint an actuary or actuaries being a fellow or fellows of the Institute of Actuaries or of the Faculty of Actuaries to hold office so long as the committee with the like assent shall determine who shall make an investigation of the financial position of the fund as at the thirty-first day of December 1942 and thereafter at intervals of five years or such less interval as the committee with the like assent shall determine, and shall report thereon to the committee who shall furnish a copy of the report to the directors.

Alteration of rules.

79. These rules may be altered by a resolution of an extraordinary meeting duly convened for that purpose provided that the alteration be confirmed in the following manner (that is to say):—

1st By a resolution of a second extraordinary meeting duly convened for that purpose and held not less than two weeks nor more than three months after the date of such first extraordinary meeting; and

2nd By a resolution of the committee; and

3rd By a resolution of the directors;

Provided that—

(*a*) no such alteration shall be made as would be inconsistent with the provisions of the Act or cause the main purpose of the fund to cease to be that of the provision of superannuation allowances for salaried officers on retirement from the service;

(*b*) no alteration shall be made of paragraphs 4 or 5 of rule 21A or of rules 27 28 or 29 without the consent of the Commissioners of Inland Revenue.

APPENDIX.

REGULATIONS AS TO JOINT ANNUITIES.

Interpretation.

1. In these regulations the expression "joint annuitant" has the meaning assigned to it by rule 21A and the following words and expressions have the meanings hereby assigned to them respectively (that is to say):—

"Normal annuity" means the annuity payable in accordance with the rules of the fund to a member upon retirement;

"Joint annuity" means the annuities or annuity granted and payable to a member or a joint annuitant in accordance with rule 21A and these regulations;

"Retired member" means an annuitant to whom a joint annuity has been granted;

"Wife" means a person who is the wife of a member at the time when he makes an application for a joint annuity.

2. The normal annuity may be converted into a joint annuity in accordance with the following conditions:— Table of joint annuities.

(1) (A) In the case of a male member and a female joint annuitant the joint annuity payable to the retired member shall be ascertained as follows:—

Age of female joint annuitant (at last birthday) at date of member's retirement.	For each £100 of normal annuity the following joint annuity will be payable to the retired member and so in proportion for any part of £100.					
	Age at last birthday of member at date of retirement.					
	60 years.	61 years.	62 years.	63 years.	64 years.	65 years.
Years	£ s.	£ s.	£ s.	£ s.	£ s.	£ s.
45 - - -	84 0	—	—	—	—	—
46 - - -	84 6	83 8	—	—	—	—
47 - - -	84 14	83 16	82 16	—	—	—
48 - - -	85 2	84 4	83 4	82 2	—	—
49 - - -	85 10	84 12	83 12	82 12	81 10	—
50 - - -	85 18	85 0	84 0	83 0	82 0	80 18
51 - - -	86 8	85 10	84 10	83 10	82 8	81 6
52 - - -	86 16	85 18	85 0	84 0	82 18	81 16
53 - - -	87 4	86 8	85 10	84 10	83 8	82 6
54 - - -	87 14	86 16	85 18	85 0	83 18	82 16
55 - - -	88 2	87 6	86 8	85 10	84 10	83 8
56 - - -	88 12	87 16	86 18	86 0	85 0	84 0
57 - - -	89 2	88 6	87 8	86 10	85 10	84 10
58 - - -	89 12	88 16	87 18	87 0	86 2	85 2
59 - - -	90 2	89 6	88 10	87 12	86 14	85 14
60 - - -	90 10	89 16	89 0	88 4	87 6	86 6
61 - - -	91 0	90 6	89 10	88 14	87 18	86 18
62 - - -	91 10	90 16	90 2	89 6	88 10	87 12
63 - - -	92 0	91 6	90 12	89 18	89 2	88 4
64 - - -	92 8	91 16	91 2	90 8	89 12	88 16
65 - - -	92 18	92 6	91 14	91 0	90 4	89 8
66 - - -	—	92 16	92 4	91 10	90 16	90 0
67 - - -	—	—	92 14	92 2	91 8	90 12
68 - - -	—	—	—	92 12	91 18	91 4
69 - - -	—	—	—	—	92 10	91 16
70 - - -	—	—	—	—	—	92 8

If the member's age at retirement is sixty-six years or more or if the age of the female joint annuitant is outside the range of this table the amount of the joint annuity payable to the retired member shall be determined by the actuary.

(B) In the case of—

(1) a male member and a male dependent relative; or

(2) a female member;

the amount of the joint annuity payable to the retired member shall be determined by the actuary:

(2) One-third of the joint annuity payable to the retired member (ascertained or determined in accordance with the foregoing provisions of this regulation) shall be payable to the joint annuitant during his life commencing on the day following that on which the retired member dies:

(3) If any joint annuitant of a retired member dies before him the joint annuity payable to the member (ascertained or determined in accordance with the foregoing provisions of this regulation) will continue unaltered in amount.

Application before retirement.

3.—(1) A member may not apply for a joint annuity until he attains the age of fifty-four years and six months.

(2) (*a*) A member who applies for a joint annuity before he attains the age of fifty-five years shall not be required as a condition of his application to pass a medical examination.

(*b*) Except as provided by regulation 9 the joint annuity if granted shall only be revocable on the application of the member made before the day on which he attains the age of fifty-five years.

Application at or after age 60.

4. A member to whom a joint annuity has not been granted in accordance with regulation 3 or a member who has not converted the whole of his normal annuity into a joint annuity under that regulation may on or after attaining the age of sixty years but before retiring from the service apply for a joint annuity which may be granted if the member passes a medical examination by the medical officer and the committee are satisfied that the member's state of health is reasonably satisfactory having regard to his age and that his expectation of life is normal.

Death of member over sixty whilst in the service.

5. If a member to whom a joint annuity has been granted shall die whilst in the service after he attains the age of sixty years a joint annuity shall be paid out of the fund to the joint annuitant as if the member had retired from the service on the day before that on which he died.

Age for applications in case of female members.

6. In the application of regulations 3 4 and 5 to a female member those regulations shall have effect as if the ages mentioned therein were reduced by five years.

Death of joint annuitant before member's retirement.

7.—(1) If the joint annuitant in the case of a member whose application for a joint annuity has been granted dies before the member retires from the service the grant of the joint annuity shall thereupon be revoked.

(2) The member shall furnish the committee with a certificate of the registration of the death of the joint annuitant or such other evidence of the death as they may require.

Member retiring on account of incapacity.

8. If a member whose application for a joint annuity has been granted retires from the service in the case of a male before attaining the age of sixty years or in the case of a female before attaining the age of fifty-five years in consequence of incapacity to perform his or her duties arising from accident or mental or physical infirmity the grant of the joint annuity shall upon the retirement of the member be revoked.

Requests for revocation of joint annuities.

9.—(1) A request for the revocation of the grant of a joint annuity may be made—

(*a*) by a member before he retires from the service;

(*b*) by a retired member within the four weeks immediately following the date on which he retires from the service;

and if the committee are of opinion that—

(i) the circumstances in which the request is made are of so exceptional a character as to justify the revocation; and

(ii) in the case of a request under the foregoing paragraph (*b*) there was good reason for the request not having been made before the member retired;

the committee may with the assent of the directors revoke the grant of the joint annuity.

(2) The committee may decline to consider any such request unless the person who would have become the joint annuitant consents to be medically examined by a medical officer or a medical practitioner approved by the committee and the committee are satisfied that the state of his health is reasonably satisfactory having regard to his age and that his expectation of life is normal.

Joint annuities irrevocable.

10.—(1) Except as expressly provided by these regulations the grant of a joint annuity shall be irrevocable.

(2) If an application for a joint annuity has been made but not granted before the day as from which according to these regulations the grant if made would become irrevocable the application shall not be withdrawn on or after that day.

Rights of member on revocation.

11. On the revocation in accordance with these regulations of a joint annuity the member or retired member (as the case may be) shall become entitled subject to the rules of the fund to receive out of the fund the normal annuity to which he would have been entitled if the joint annuity had not been granted and in the case of a retired member such normal annuity shall be payable as from the day after that on which he retired from the service but such member shall repay to the fund the amount of any joint annuity received by him.

Requirements in connection with applications.

12.—(1) An application for a joint annuity shall be in writing signed by the member and shall be delivered to the secretary of the fund.

(2) The application shall be accompanied by a certificate of registration of birth of the proposed joint annuitant and (where the proposed joint annuitant is the member's wife) a certificate of marriage of the member and his wife or (where the proposed joint annuitant is a dependent relative) such evidence as the committee may require of the relationship A member who is a widower shall produce a certificate of the registration of death of his former wife A member whose marriage has been dissolved shall furnish such evidence of the marriage and its dissolution as the committee may require If the member is unable to furnish any certificate required the committee may accept such evidence in lieu thereof as they may think proper and may require the member to furnish a statutory declaration as to any matter connected with the application.

(3) The secretary shall within seven days of the receipt by him of the application send an acknowledgment in writing signed by him to the member.

(4) An application may be withdrawn by notice in writing signed by the member and delivered to the secretary at any time before the joint annuity has become irrevocable but subject to the provisions of these regulations the member may make a further application for a joint annuity.

Amount of normal annuity to be converted.

13.—(1) A member shall state in his application whether he desires to convert into a joint annuity—

(*a*) the whole of his normal annuity; or

(*b*) a portion of his normal annuity and if so the amount of that portion.

(2) The minimum amount of a member's normal annuity that may be converted into a joint annuity shall be—

Normal annuity.	Minimum amount convertible.
£120 or less	The whole.
Over £120	£120.

(3) The conversion of a portion of a normal annuity shall be for an amount which is an even multiple of a pound.

(4) If the unconverted portion of a normal annuity amounts at the time of the member's retirement from the service to less than £10 it shall then be converted into a joint annuity.

Evidence of life etc.

14. After a joint annuity has been granted the committee may if they think fit require—

(*a*) evidence from time to time of the continued existence of the joint annuitant during the lifetime of the member and after his death;

(*b*) upon the death of the retired member evidence establishing the identity of the joint annuitant;

(*c*) in the event of the marriage or re-marriage of a female joint annuitant the production of a certificate of the marriage;

and the committee may withhold or suspend the payment of the annuity to the joint annuitant unless evidence as to these matters is furnished to their satisfaction.

Payment to joint annuitant under disability.

15. If a joint annuitant is unable by reason of accident or mental or physical infirmity to manage his affairs or to sign documents the provisions of rule 26 shall apply as if he were a person entitled to an annuity within the meaning of that rule.

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