# CHAPTER 23.

An Act to amend the law with respect to the superannuation benefits of persons who have served in the permanent Civil Service of the State; to provide for the amendment of section one of the Superannuation Act, 1887, and for the modification or revocation of the rules made under section six of that Act; and for purposes connected with the matters aforesaid.

[27th June 1935.]

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:—

Application of Superannuation Act, 1909, to women. 9 Edw. 7. c. 10. 4 & 5 Geo. 5. c. 86.

**1.**—(1) Sections one and two of the Superannuation Act, 1909, as amended by section two of the Superannuation Act, 1914, and by this Act, shall apply in relation to female civil servants who enter the service after the commencement of this Act, as they apply in relation to male civil servants who entered the service after the nineteenth day of September, nineteen hundred and nine.

(2) Subject to regulations made by the Treasury, the Treasury may allow any female civil servant who has entered the service before the commencement of this Act, and who, at the commencement of this Act, is under the retiring age, to adopt the provisions of the Superannuation Act, 1909, and in that case there may be granted to her or her legal personal representatives such superannuation and other allowances and gratuity as might be granted had she entered the service after the commencement of this Act, except that the amount of the additional allowance payable on retirement shall be increased by one-half per cent. in respect of each completed year she had served at the commencement of this Act:

Provided that any superannuation or other allowance or gratuity which, by virtue of this subsection, may be granted to, or in respect of, a female civil servant who

has duly signified that she does not desire section four of this Act to apply to her, shall be calculated as if that section had not come into operation.

(3) Section one of the Superannuation Act, 1914, (which provides for the distribution of gratuities without probate in certain cases) shall apply in relation to the grant of a gratuity under subsection (2) of this section as it applies in relation to the grant of a gratuity under section three of the Superannuation Act, 1909.

Allocation of part of superannuation benefits to dependants.

**2.**—(1) The Treasury may make rules for securing that, in such circumstances and subject to such conditions as to proof of good health and other matters as may be specified in the rules, a retiring officer, that is to say, a person of such a class as may be so specified—

(*a*) who, being a civil servant, retires from the service, otherwise than on the ground of ill-health, not earlier than three months after the commencement of this Act, or

(*b*) who, having served in the permanent civil service of the State at some time later than three months after the commencement of this Act, retires from some other employment, otherwise than on the ground of ill-health, in such circumstances as qualify him for the grant of a superannuation allowance in respect of his service in the civil service,

shall be allowed to surrender, as from the date of his retirement, in return for the benefits of the rules such part, not exceeding one-third, of any annual superannuation, compensation or retiring allowance which the Treasury may grant to him under the Superannuation Acts, as may be specified in the rules, and for enabling the Treasury to grant either to the wife or husband, as the case may be, or to a dependant, of the retiring officer a pension of such value as, according to tables to be prepared from time to time by the Government Actuary, is actuarially equivalent, at the said date, to the value of that part of the said annual allowance which is surrendered.

(2) Any such pension as aforesaid for the benefit of a dependant (not being the spouse) of a retiring officer shall be payable in respect of the period, if any, for

which the dependant survives the retiring officer, and any such pension as aforesaid for the benefit of the spouse of a retiring officer shall, according as the retiring officer may, in conformity with the rules under this section, elect, be payable either—

(*a*) in respect of the period, if any, for which the spouse survives the retiring officer, or

(*b*) in respect both of the period of their joint lives subsequent to the retirement and of the period, if any, for which the spouse survives the retiring officer;

and the rules may provide that a pension payable thereunder in respect of the periods mentioned in paragraph (*b*) of this subsection shall be paid at one rate in respect of the first of those periods and at a higher rate in respect of the second.

(3) If any person has, in accordance with rules under this section, surrendered part of a superannuation allowance, then for the purpose of calculating the amount of any gratuity which may be granted to his legal personal representatives under subsection (2) of section two of the Superannuation Act, 1909, as amended by this Act, the sums paid or payable to him at the time of his death on account of such superannuation allowance shall be deemed to be the sums which would have been so paid or payable but for the surrender; and if any person has, in accordance with such rules as aforesaid, surrendered part of a superannuation or compensation allowance, then for the purpose of determining whether any, and, if so, what, amount may be paid to him under section twenty of the Superannuation Act, 1834, by way of such allowance in respect of any period during which, after retiring, he is employed in a public department, the profits of the office from which he retired shall be treated as reduced by the amount surrendered by him as aforesaid. 3 & 4 Will. 4. c. 24.

Reckoning of unestablished service.

**3.**—(1) If, as respects any person who, at the time when he becomes a civil servant, is serving the State in an unestablished capacity, his continuous service in such a capacity immediately before his becoming a civil servant began not earlier than the commencement of this Act, his said continuous service shall, as to one-half

of the period thereof, be reckoned for the purposes of the Superannuation Acts as service in the capacity of a civil servant:

Provided that for the purpose of computing, in the case of any person, the service to be reckoned as aforesaid, no account shall be taken of any period for which that person has served before attaining the age of eighteen years.

(2) The Treasury may direct—

(*a*) that, subject to such conditions as they may determine, the service of any person in an unestablished capacity for two or more periods shall, for the purpose of determining whether or not his service in such a capacity is to be reckoned under the preceding subsection, be treated as if it were continuous service beginning at the commencement of the first of those periods or of such one of them as the Treasury may determine;

(*b*) that, subject as aforesaid, discontinuous periods of service in an unestablished capacity shall be aggregated for the purpose of computing the service to be reckoned under the preceding subsection;

(*c*) that, subject as aforesaid, a person admitted into the civil service with a certificate from the Civil Service Commissioners shall, if, while the issue of that certificate was under consideration, he was, for any period, serving the State in an unestablished capacity in a post previously recognised by the Treasury as an established post, be treated for the purpose of the preceding subsection as having become a civil servant at the beginning of the said period, and that his service during that period shall be reckoned for the purposes of the Superannuation Acts as service in the capacity of a civil servant.

50 & 51 Vict. c. 67.

(3) Section three of the Superannuation Act, 1887, shall not apply in relation to any person whose service in an unestablished capacity is to be reckoned under subsection (1) of this section.

(4) In this section the expression "unestablished capacity" means employment in the civil service of the State otherwise than in the capacity of a civil servant as defined by section twelve of the Superannuation Act, 1887, being employment to which the person serving therein is required to devote his whole time, and the remuneration for which is paid entirely out of moneys provided by Parliament.

Averaging of salary, &c.

**4.**—(1) This section shall apply to every civil servant who, not earlier than five years after the commencement of this Act, retires from the service or dies while in the service, except—

(*a*) any male person who became a civil servant before the twentieth day of September, nineteen hundred and nine, and who had not, before the commencement of this Act, adopted the provisions of the Superannuation Act, 1909,

(*b*) any female person who became a civil servant before the commencement of this Act, and who has not adopted the provisions of the Superannuation Act, 1909,

(*c*) any civil servant who, at the commencement of this Act, had attained the retiring age,

(*d*) any male person who was a civil servant at the commencement of this Act, and who has signified, in such manner and within such time as the Treasury may direct, that he does not desire this section to apply to him, and

(*e*) any female person who was a civil servant at the commencement of this Act, and who has adopted the provisions of the Superannuation Act, 1909, but has signified, in such manner and within such time as the Treasury may direct, that she does not desire this section to apply to her.

(2) Every superannuation allowance, gratuity or additional allowance which, under section two or section six of the Superannuation Act, 1859, or under section one or section two of the Superannuation Act, 1909, may be granted to, or in respect of, any civil servant

22 Vict. c. 26.

to whom this section applies, shall be computed upon the average annual amount of the salary and emoluments of his office during the last three years of his service, and accordingly, in relation to any such civil servant, the Superannuation Acts, 1834 to 1919, shall be modified as follows, that is to say:—

(*a*) sections twelve and twenty-eight of the Superannuation Act, 1834, shall cease to have effect, and section two of the Superannuation Act, 1859, shall have effect as if in that section for the words "the annual salary and emoluments of his office" there were substituted the words "the average annual amount of the salary and "emoluments of his office during the last three "years of his service";

(*b*) section six of the Superannuation Act, 1859, shall have effect as if in that section for the words "the amount of one month's pay" there were substituted the words "one-twelfth of the average "annual amount of the salary and emoluments "of his office during the last three years of his "service"; and

(*c*) subsection (2) of section one, and section two, of the Superannuation Act, 1909, shall have effect as if for the words "the annual salary and emoluments of his office," wherever those words occur in the said provisions, there were substituted the words "the average annual "amount of the salary and emoluments of "his office during the last three years of his "service".

(3) Subsection (2) of section one of the Superannuation Act, 1909, and subsection (1) of section one of the Superannuation (Prison Officers) Act, 1919, (which contain provisions for the calculation of additional allowances on a proportion of salary and emoluments) shall, in relation to any civil servant to whom this section applies, have effect as if the reference in the first-mentioned subsection to one-thirtieth were a reference to three-eightieths, and as if the reference in paragraph (*b*) of the last-mentioned subsection to two-thirtieths were a reference to six-eightieths.

9 & 10 Geo. 5. c. 67.

**5.** Section eight of the Superannuation Act, 1859, (which imposes restrictions on granting a superannuation allowance at the full statutory rate), and in section nine of that Act the words "Provided that" and the words from "of greater amount" to "any such allowance" (which enable increased allowances and gratuities to be granted for special services), are hereby repealed. Repeal of certain provisions of Superannuation Act, 1859.

**6.** Subsection (2) of section two of the Superannuation Act, 1909, (which enables the Treasury to grant to the legal personal representatives of a deceased civil servant a gratuity supplementary to certain sums received by him) shall have effect, and be deemed always to have had effect, as if in that subsection for the words "actually received by him" there were substituted the words "paid or payable to him." Amendment of Superannuation Act, 1909.

**7.**—(1) As respects any civil servant who has been a member of His Majesty's Consular Service in China during the whole of his service as such, apart from any service during the late war or during the period of five years immediately preceding the date on which he first entered the said Consular Service, fifty-five years shall be substituted for sixty years as the age on retirement at which without a medical certificate a superannuation allowance may be granted under the Superannuation Acts, and accordingly sections ten and eleven of the Superannuation Act, 1859, shall, in relation to any such civil servant, have effect as if in those sections for the words "sixty years" there were substituted the words "fifty-five years." Reduction of retiring age for members of H.M. Consular Service in China.

(2) If at any time His Majesty's Consular Service in China ceases to be a separate branch of His Majesty's Consular Service, the preceding subsection shall cease to have effect, except that it shall continue to apply to any person being at that time a member of the first-mentioned Consular Service, as if he had remained a member thereof during the period of any service spent by him after that time in His Majesty's Consular Service at any place (whether in or outside China) at which, immediately before the cessation aforesaid, persons appointed to His Majesty's Consular Service in China were required to serve.

(3) In this section the expression "a member of His Majesty's Consular Service in China" means a

person holding, by virtue of his appointment to His Majesty's Consular Service in China, an office at any place (whether in or outside China) at which persons appointed to that Consular Service may for the time being be required to serve.

Approved employment.

**8.**—(1) Where any person who, being a civil servant, has (whether before or after the commencement of this Act) been transferred to approved employment with the consent of the head officer of his department, retires from that employment on the ground of age before attaining the age of sixty years, and is, on such retirement, qualified for, or entitled to, the benefits of any system of superannuation applicable to the approved employment, the Treasury may either—

(*a*) grant to him, on his attaining the age of sixty years, such superannuation allowance, additional allowance or gratuity as might have been granted to him if, at the date of the transfer, he had retired from the civil service on the ground of ill-health, or

(*b*) grant to him, within six months after the date of his retirement from the approved employment (if requested by him so to do), such superannuation allowance, additional allowance or gratuity as the Treasury consider to be actuarially equivalent, at the said date, to the superannuation allowance, additional allowance or gratuity, as the case may be, which might be granted to him under paragraph (*a*) of this subsection.

(2) Where a civil servant who, after the commencement of this Act, is transferred to approved employment with the consent of the head officer of his department, dies while in that employment, and no provision is made, under any system of superannuation applicable to the approved employment, for the grant of pensions to widows or dependants of persons dying while in that employment, the Treasury may grant to his legal personal representatives such gratuity, if any, as might have been granted to them if he had died on the day before the day of the transfer, after deducting therefrom the total amount of any sums paid or payable,

under such a system of superannuation, in respect of his death.

(3) Where a civil servant who, having served as such for not less than five years, is, after the commencement of this Act, transferred to approved employment with the consent of the head officer of his department, dies after retiring from that employment in circumstances which qualified him for the grant of a superannuation allowance and an additional allowance under section four of the Superannuation Act, 1914, or under subsection (1) of this section, then if—

(*a*) no provision is made, under any system of superannuation applicable to the approved employment, for the grant of pensions to widows or dependants of persons who die after retiring from that employment, and

(*b*) the sums paid or payable to him at the time of his death on account of the said superannuation allowance and additional allowance, together with any sums paid or payable to him, his legal personal representatives and his widow or dependants under such a system of superannuation, are less than the annual amount of salary and emoluments upon which the said superannuation allowance and additional allowance have been computed,

the Treasury may grant to his legal personal representatives a gratuity equal to the difference.

(4) In this section the expression " approved employment " has the same meaning as in section four of the Superannuation Act, 1914.

Superannuation of persons transferring from or to local authority service to or from Civil Service.

**9.**—(1) Within twelve months after the commencement of this Act the Treasury may, after consultation with the Minister of Health and with the Secretary of State for Scotland, make rules with respect to the superannuation benefits of persons who, being pensionable officers or servants of a local authority to which the rules apply, become civil servants, or who, being civil servants, become pensionable officers or servants of such a local authority.

(2) Rules under this section may provide, as respects any person who, being a pensionable officer or servant

of a local authority to which the rules apply, becomes a civil servant in such circumstances as may be specified in the rules,—

(*a*) that the Superannuation Acts shall, in relation to the said person, have effect subject to such modifications as may be prescribed by the rules with respect to the minimum periods of service which qualify persons for the benefits of those Acts, and with respect to the gratuity which may be granted under subsection (2) of section two of the Superannuation Act, 1909; and

(*b*) that on his retirement from the civil service of the State in such circumstances as qualify him for the grant of an annual superannuation, compensation or retiring allowance under the Superannuation Acts as modified by the rules, he shall be qualified or entitled, in respect of his pensionable local authority service, to receive from the local authority such payments by way of annual allowance, lump sum or return of contributions (with or without interest) as may be prescribed by the rules:

Provided that nothing in any rules made in pursuance of this subsection shall affect the superannuation benefits of any person who, being an officer or servant of a local authority with respect to which rules under section fifty-one of the Unemployment Act, 1934, are in force, becomes an officer or servant of the Unemployment Assistance Board.

24 & 25 Geo. 5. c. 29.

(3) Rules under this section may provide, as respects any person who, being a civil servant, becomes, in such circumstances as may be specified in the rules, a pensionable officer or servant of a local authority to which the rules apply,—

(*a*) that the enactments relating to the superannuation of officers or servants of that local authority or any other such local authority as aforesaid of which the said person subsequently becomes a pensionable officer or servant shall, in relation to him, have effect subject to such modifications as may be prescribed by the rules with respect to the

minimum periods of service which qualify persons for, or entitle them to, the benefits of the said enactments; and

(*b*) that on his retirement from the service of such a local authority as aforesaid in such circumstances as qualify or entitle him to receive from that local authority an annual superannuation allowance, the Treasury may grant to him, in respect of his service in the capacity of a civil servant, such superannuation allowance and additional allowance, if any, as may be prescribed by the rules.

(4) Rules under this section may provide for such further modifications of the enactments relating to the superannuation of officers and servants of a local authority as may be necessary for giving effect to the rules.

(5) Any rules under this section shall apply to a local authority if, but only if, the Treasury, upon the application of that local authority, have directed that the rules shall apply to it.

(6) In this section—

(*a*) the expression "local authority" means any body having power to levy a rate or to issue a precept to a rating authority; and "rate" and, except in relation to London, "rating authority" have respectively the same meanings as in the Rating and Valuation Act, 1925; 15 & 16 Geo. 5. c. 90.

(*b*) the expression "pensionable officer or servant" means, in relation to a local authority, any officer or servant of that local authority whose service qualifies or entitles him, or would if it continued for a sufficient period qualify or entitle him, to receive from the local authority, on retiring from its service, an annual superannuation allowance, and the expression "pensionable local authority service" has the meaning assigned to that expression by section fifty-one of the Unemployment Act, 1934; and

(*c*) the expression "enactments" includes, in relation to a local authority, any scheme relating to the superannuation of officers or servants of that local authority made under or in pursuance of any enactment.

(7) In the application of this section to Scotland for the definition of "local authority" the following definition shall be substituted:—

"local authority" has the same meaning as in the Local Authorities Loans (Scotland) Act, 1891.

54 & 55 Vict. c. 34.

Application of Superannuation Acts to officers in institutions maintained by Board of Control.

**10.** Section one of the Superannuation (Prison Officers) Act, 1919, shall, in relation to civil servants who, after the commencement of this Act, retire from the service or die while in the service, have effect as if the reference in that section to officers employed in prisons and criminal lunatic asylums of such classes as the Secretary of State with the approval of the Treasury may from time to time prescribe, included a reference to officers employed in institutions maintained by the Board of Control under sections twenty-five and thirty-five of the Mental Deficiency Act, 1913, being officers of such classes as the Minister of Health, with the approval of the Treasury, may from time to time prescribe.

3 & 4 Geo. 5. c. 28.

Gratuity or allowance in case of injury.

**11.** Section one of the Superannuation Act, 1887, shall have effect—

(1) in relation to persons injured after the commencement of this Act, as if in subsection (1) of that section—

(*a*) there were substituted for the words "or, if he dies from the injury" the words "and, "if, within seven years after the date of the "injury, he dies as a direct result thereof," and

(*b*) the reference to the widow of the person injured included, in a case where that person is a female, a reference to her widowed husband, and

(*c*) the expression "children" included illegitimate children and step-children, and children adopted by the injured person in pursuance of an adoption order made under the Adoption

16 & 17 Geo. 5. c. 29.

of Children Act, 1926, the Adoption of Children (Scotland) Act, 1930, or any corresponding enactment of the Parliament of Northern Ireland, or adopted by that person in accordance with the law of the place where he was domiciled at the time of the injury; and 20 & 21 Geo. 5. c. 37.

(2) in relation to persons injured after the end of June, nineteen hundred and thirty-four, as if for subsection (3) of that section there were substituted the following subsection :—

" (3) Any allowance granted under this section to an injured person shall not, together with any superannuation allowance for which he is otherwise qualified, exceed five-sixths of the annual salary and emoluments of the office held by him at the date of the injury.

" In this subsection the expression ' superannuation allowance ' includes, in relation to any person, an annual compensation or retiring allowance under the Superannuation Acts, and the annuity value of any additional allowance under those Acts, the said value being computed in accordance with the tables for immediate life annuities framed under Part II of the Government Annuities Act, 1929, which were in force at the time of his retirement." 19 & 20 Geo. 5. c. 29.

Adjustment of superannuation benefits in relation to bonus.

**12.**—(1) Any annual superannuation, compensation or retiring allowance granted under the Superannuation Acts, 1834 to 1919, to a civil servant who retired from the service during the period between the end of August, nineteen hundred and thirty-one, and the beginning of July, nineteen hundred and thirty-four, may be increased by the Treasury to the amount which might have been granted by way of such allowance if—

(*a*) any cost-of-living bonus received by him under the Civil Service Bonus Scheme in respect of the last three years of his service had been the bonus related to the cost-of-living figure applicable, in accordance with that scheme, to the month of June, nineteen hundred and thirty-one, and

(*b*) any other bonus received by him under the authority of the Treasury in respect of service in any office after the end of September, nineteen hundred and thirty-one, had been paid to him at the rate appropriate to service in that office during the month of July, nineteen hundred and thirty-four.

(2) Any annual allowance granted by virtue of section one of the Superannuation Act, 1887, as amended by section five of the Superannuation Act, 1909, in respect of an injury sustained during the period between the end of August, nineteen hundred and thirty-one, and the beginning of July, nineteen hundred and thirty-four, by a person who, at the date of the injury, was in receipt of a cost-of-living bonus under the Civil Service Bonus Scheme, may be increased by the Treasury to the amount which might have been granted by way of such allowance if the said bonus had been the bonus related to the cost-of-living figure applicable, in accordance with that scheme, to the month of June, nineteen hundred and thirty-one.

(3) Any annual allowance granted by virtue of section one of the Superannuation Act, 1887, as amended by section five of the Superannuation Act, 1909, in respect of an injury sustained during the period between the end of September, nineteen hundred and thirty-one, and the beginning of July, nineteen hundred and thirty-four, by a person who, at the date of the injury, was in receipt of a bonus payable under the authority of the Treasury (other than a cost-of-living bonus under the Civil Service Bonus Scheme) may be increased by the Treasury to the amount which might have been granted by way of such allowance if the first-mentioned bonus had been paid to him at the rate appropriate to service during the month of July, nineteen hundred and thirty-four, in the office held by him at the date of the injury.

(4) Where, for the purpose of computing any superannuation allowance, compensation allowance, retiring allowance, additional allowance or gratuity which has been or may be granted under the Superannuation Acts to, or in respect of, a civil servant who, after the end of June, nineteen hundred and thirty-four, has retired from the service or died while in the service, there has been or has to be taken into account any cost-of-living bonus

received by him under the Civil Service Bonus Scheme or any other bonus received by him under the authority of the Treasury, the amount of the allowance or gratuity may be re-calculated or calculated, as the case may be, by the Treasury and paid as if—

(*a*) the bonus under the Civil Service Bonus Scheme had been the bonus related to the cost-of-living figure applicable, in accordance with that scheme, to the month of June, nineteen hundred and thirty-one, or (as the case may be)

(*b*) the other bonus (in so far as it was paid to him in respect of service in any office after the end of September, nineteen hundred and thirty-one) had been paid at the rate appropriate to service in that office during the month of July, nineteen hundred and thirty-four.

(5) Where, under subsection (1), subsection (3) or subsection (4) of this section, the amount of any annual allowance which has been or may be granted to, or in respect of, any person has been or may be computed as if a bonus received by him in respect of service in any office had been paid to him at the rate appropriate to service in that office during the month of July, nineteen hundred and thirty-four, then if, after the commencement of this Act, the Treasury give a general direction whereby the aforesaid bonus in respect of service in that office becomes payable at a higher rate than the first-mentioned rate, the amount of the allowance may be re-calculated or calculated, as the case may be, by the Treasury and paid as if that bonus (in so far as it was paid to the said person in respect of service after the end of September, nineteen hundred and thirty-one) had been paid at the said higher rate or, if that rate exceeds the rate appropriate to service in the said office during the month of September, nineteen hundred and thirty-one, at the last-mentioned rate.

The preceding provisions of this subsection shall apply in relation to any lump sum that may be granted by way of additional allowance or gratuity to or in respect of a civil servant who, after the said general direction of the Treasury takes effect, retires from the service or dies while in the service, as those provisions apply in relation to an annual allowance.

(6) Any annual allowance which, in consequence of a general direction of the Treasury, is increased under the last preceding subsection shall be payable at the increased rate as from the date on which the direction takes effect or the date of the retirement of the person concerned, whichever is the later; but, save as aforesaid, any annual allowance which is increased under this section shall be deemed to have become payable at the increased rate as from the first day of July, nineteen hundred and thirty-four, or the date of the retirement of the person concerned, whichever is the later.

(7) In this section the expression "the Civil Service Bonus Scheme" means the scheme for the payment of a cost-of-living bonus related to cost-of-living figures to persons employed in the civil service, which operated in respect of the period between the end of February, nineteen hundred and twenty, and the beginning of July, nineteen hundred and thirty-four.

Disregard, for superannuation purposes, of certain abatements from salaries.

**13.** For the removal of doubts it is hereby declared that any reference in the Superannuation Acts to the salary and emoluments of an office is, as regards any period in respect of which any temporary abatement from the salary and emoluments fixed for that office has been made under a general direction of the Treasury for the purpose of effecting economy in national expenditure, a reference to the salary and emoluments which would have been payable to the holder of the office but for that abatement; and section twelve of the Superannuation Act, 1834, and section six of the Superannuation Act, 1859, shall, in their application to any person from whose salary and emoluments any temporary abatement has been so made as aforesaid, have effect, and be deemed always to have had effect, as if any reference in the first-mentioned section to the salary enjoyed or the salary received by him, and any reference in the last-mentioned section to pay, were references to the salary and emoluments of his office.

Nothing in this section shall be taken to affect the operation of the last preceding section.

Amendment of certain enactments referring to

**14.**—(1) Any reference in any enactment passed before the commencement of this Act, except subsection (2) of section fifty-five of the Government of Ireland Act,

1920, to the Superannuation Acts, 1834 to 1919, or to any group of Acts included among the Acts which may be cited together as the Superannuation Acts, 1834 to 1919, shall be construed as a reference to the Superannuation Acts: Superannuation Acts.

Provided that section four of this Act shall not apply to a person holding—

(*a*) any of the offices specified in Part I of the Third Schedule to the Supreme Court of Judicature (Consolidation) Act, 1925, or 15 & 16 Geo. 5. c. 49.

(*b*) the office of registrar of the district registry of the High Court at Liverpool or Manchester, or

(*c*) the office of a whole-time registrar within the meaning of the County Courts Act, 1924, or of the County Courts Act, 1934, 14 & 15 Geo. 5. c. 17. 24 & 25 Geo. 5. c. 53.

not being a person in whose case any superannuation allowance that may be granted on retirement is to be calculated in accordance with the provisions of the Superannuation Acts.

(2) Paragraph 4 of Part IV of the Third Schedule to the Supreme Court of Judicature (Consolidation) Act, 1925, shall have effect, and be deemed always to have had effect, as if in that paragraph for the words " actually received by him up to the time of his death " there were substituted the words " paid or payable to him at the time of his death."

**15.**—(1) The Treasury may make rules modifying or revoking the rules made under section six of the Superannuation Act, 1887, as modified under any subsequent Act (hereinafter referred to as " the existing rules "); and the power of the Treasury under the preceding provisions of this section shall extend to the making of rules consolidating, with or without modifications, the existing rules and any rules made under this section. Modification or revocation of rules made under s. 6 of Superannuation Act, 1887.

(2) So much of subsection (2) of section six of the Superannuation Act, 1887, as requires the rules under that section to provide for the laying before Parliament of the returns of such officers accepting employment as are affected by the rules, is hereby repealed.

**16.** Any rules made by the Treasury under this Act shall, as soon as may be after the making thereof, be laid before Parliament. Laying of rules before Parliament.

Definition of "retiring age" and "Superannuation Acts."

**17.** In this Act the expression "the retiring age" means, in relation to any civil servant, the age which, in accordance with section ten of the Superannuation Act, 1859, as amended by, or by virtue of, the Superannuation (Prison Officers) Act, 1919, or this Act, that civil servant must attain in order that a superannuation allowance may be granted to him on retirement without a medical certificate, and the expression "the Superannuation Acts" means the Superannuation Acts, 1834 to 1919, and this Act.

Short title, citation, construction and extent.

**18.**—(1) This Act may be cited as the Superannuation Act, 1935, and the Superannuation Acts, 1834 to 1919, and this Act may be cited together as the Superannuation Acts, 1834 to 1935; and the Superannuation Act, 1914, and this Act shall be construed as one with the Superannuation Acts, 1834 to 1909.

(2) His Majesty may, by an Order in Council made in pursuance of a Resolution passed by both Houses of the Parliament of Northern Ireland, direct that this Act or any provisions thereof shall, subject to such exceptions and adaptations as may be specified in the Order, apply to existing Irish officers within the meaning of the Government of Ireland Act, 1920, to whom the Superannuation Acts, 1834 to 1914, apply by virtue of subsection (2) of section fifty-five of that Act; but save as aforesaid this Act shall not apply to any of the said officers.

## CHAPTER 24.

An Act to grant certain duties of Customs and Inland Revenue (including Excise), to alter other duties, and to amend the law relating to Customs and Inland Revenue (including Excise) and the National Debt, and to make further provision in connection with finance. [10th July 1935.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom in Parliament assembled, towards raising the necessary supplies to