1964. No. 57 **[C]**

ULSTER TRANSPORT AUTHORITY SALARIED STAFF SUPERANNUATION SCHEME

REGULATIONS*, DATED THE 15TH DAY OF APRIL, 1964, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER THE TRANSPORT ACT (NORTHERN IRELAND) 1948(a).

The Ministry of Home Affairs in exercise of the powers vested in it by Section 36 of the Transport Act (Northern Ireland) 1948 and all other powers enabling it in that behalf hereby makes the following regulations:

1. These regulations shall be deemed to have come into operation on the thirtieth day of December, 1963, and may be cited as the Ulster Transport Authority Salaried Staff Superannuation Regulations 1964.

2. In these regulations, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

The "Act" means the Transport Act (Northern Ireland) 1948.

The "Authority" means the Ulster Transport Authority.

The "Ministry" means the Ministry of Home Affairs for Northern Ireland.

"Existing Schemes" or "Existing Scheme" means the following schemes or either of them (that is to say) the Northern Ireland Road Transport Board Pension and Life Assurance Scheme which commenced on the 1st day of June, 1943, and the Belfast Omnibus Company Limited Pension and Life Assurance Scheme which commenced on the 1st day of June, 1934.

3.—(1) There shall be established by the Authority a superannuation scheme to be known as the Ulster Transport Authority Salaried Staff Superannuation Scheme (hereinafter called "the Scheme") for employees in wholetime employment in the salaried grades of the Authority and for certain wholetime members of the Authority.

(2) The Scheme shall be in accordance with the rules set out in the Schedule and shall be administered as provided for in those rules.

(3) The rules in so far as they provide for—

(*a*) employees becoming members compulsorily;

(*b*) any contribution due from a member being deducted from that member's remuneration;

shall be lawful and have effect notwithstanding anything in any enactment.

4. In respect of any member of an Existing Scheme who becomes a Member of the Scheme under the Rules—

(*a*) contributions to the Existing Scheme by the Authority and by the Member shall cease as from the date of admission to membership of

(a) 1948. c. 16.

*A draft of these Regulations was affirmed by Resolution of the Senate on the 7th day of April, 1964, and by Resolution of the House of Commons on the 14th day of April, 1964.

the Scheme, but for the purposes of the Certificate of Non-participation No. U.172 issued under Part II of the National Insurance Act (Northern Ireland) 1959 the Member shall be treated as contributing to the Existing Scheme up to and including the date before the operative date of any Certificate of Non-participation which may be issued in respect of the Scheme;

(*b*) contributions to the Existing Scheme in respect of life assurance and disability benefit shall cease as from the date of admission to membership of the Scheme or the date on which the Member applies for membership of the Scheme, whichever is the later, and as from that date the life assurance and disability benefit entitlement shall cease;

(*c*) no pension shall accrue to the Member under the Existing Scheme in respect of service after the date of admission to membership of the Scheme;

(*d*) the pension which has accrued in respect of the Member under the Existing Scheme and the contributions which have been made in respect thereof shall remain subject to the provisions of the Existing Scheme.

5. The rules shall not be amended or added to otherwise than by regulations made by the Ministry under Section 36 of the Act.

Sealed with the Official Seal of the Ministry of Home Affairs this 15th day of April, 1964.

(L.S.) *John F. Irvine,*
Assistant Secretary.

The Ministry of Finance hereby approves the foregoing regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 15th day of April, 1964.

(L.S.) *W. W. Arthur,*
Assistant Secretary.

SCHEDULE

THE RULES

OF

THE ULSTER TRANSPORT AUTHORITY SALARIED STAFF SUPERANNUATION SCHEME

PRELIMINARY

Interpretation

1.—(1) In these Rules the following expressions have the meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such construction:—

"The Fund' means the superannuation fund established by the Authority pursuant to Rule 2;

"The Service" means the service of the Authority;

"Salaried Officers" means officers and servants in the Service, whether male or female, paid at a salary fixed at a rate per annum, being—

(i) persons in the employment of the Authority at 29th December 1963; or

(ii) persons appointed to the Authority's permanent salaried staff after 29th December 1963—

and includes whole-time members of the Authority who, prior to their appointment under section 1 of the Act, were in the employment of the Authority;

"Salary" means in relation to a Salaried Officer the basic annual rate of salary payable to him (inclusive of such amounts as may be allowed under Rule 11);

"Participating Employment" means any employment with the Authority in which a Member is required to pay graduated contributions under the National Insurance Act (Northern Ireland) 1959, or would be required to pay such contributions if his remuneration exceeded the amount mentioned in paragraph (*b*) of sub-section (1) of Section 1 of that Act;

"Member" in relation to the Scheme means a person from time to time contributing to the Fund, except as provided for in the Rules, but does not include a recipient from the Fund;

"Relative" in reference to a Member includes relations by marriage and persons related to the Member either illegitimately or by adoption;

"The Committee" means the committee from time to time appointed under the Rules;

"The Contributors' Committee-men" means the members of the Committee from time to time elected by the Members;

"The Authority's Committee-men" means the members of the Committee from time to time appointed by the Authority;

"The Auditors" and "the Secretary" mean such officers as from time to time are elected or appointed under the Rules as auditors and secretary respectively;

"The Actuary" means the actuary or actuaries from time to time appointed by the Committee with the assent of the Authority;

"Medical Officer" means a medical officer appointed by the Committee or failing such appointment one of the medical officers of the Authority;

"Annual Meeting" means the annual general meeting of the Members duly convened and constituted and any adjournment thereof;

"Extraordinary Meeting" means an extraordinary general meeting of the Members duly convened and constituted and any adjournment thereof;

"General Meeting" means an Annual Meeting or an Extraordinary Meeting;

(2) In the Rules, unless the context otherwise requires,—

(*a*) any reference to a Member's contributions to the Fund shall be construed as including a reference to any sum (other than a payment in the nature of interest) paid by the Member under any provision of the Rules relating to antedating of membership or added years; and

(*b*) any reference to a Member's years or period of membership of the Scheme shall be construed as including a reference to the years (if any) during which he was deemed to have been a Member of the Scheme either by antedating or added years or both, and

(*c*) any reference to contributions to the Fund in respect of a Member shall be construed as not including contributions pursuant to Rule 14 to secure the solvency of the Fund.

Establishment of Fund

2. The Authority shall establish a superannuation fund for the purposes of the Scheme.

CONSTITUTION

Assets constituting Fund

3. The Fund shall be held by the Authority upon irrevocable trust for the purposes of the Scheme and shall comprise:—

(*a*) Contributions of and payments by the Members to the Fund made under the Rules;

(*b*) Contributions of and payments by the Authority to the Fund made under the Rules;

(*c*) Dividends and interest received by or payable on the Fund;

(*d*) Transfer value payments made to the Fund;

(*e*) All other moneys of and additions to the Fund;

and the funds, securities, bonds, debentures, stocks, shares and other investments, policies, moneys and property for the time being representing the same and all other funds, securities, bonds, debentures, stocks, shares and other investments, policies, moneys and property (if any) from time to time received and for the time being held by the Authority by way of addition or accretion to the Fund.

CONTRIBUTING MEMBERS

Membership of Scheme

4.—(1) The following persons shall, subject to the provisions of the Rules, become Members of the Scheme:—

(*a*) every male person becoming a Salaried Officer on or after the 30th December 1963 whose age at the date of his becoming a Salaried Officer does not exceed 52 years;

(*b*) every female person becoming a Salaried Officer on or after the 30th December 1963 whose age at the date of her becoming a Salaried Officer does not exceed 47 years.

(2) The following persons may, subject to the provisions of the Rules, become Members of the Scheme:—

(*a*) every male person in the Service on the 30th December 1963 who is and was on the 29th December 1963 a Salaried Officer, whose age at the date of his becoming a Salaried Officer did not exceed 55 years and who is not a member of the Railway Clearing System Superannuation Fund or the L.M.S. Railway Superannuation Fund;

(*b*) every female person in the Service on the 30th December 1963 who is and was on the 29th December 1963 a Salaried Officer, whose age at

the date of her becoming a Salaried Officer did not exceed 50 years and who is not a member of the Railway Clearing System Superannuation Fund or the L.M.S. Railway Superannuation Fund.

(3) (*a*) Every Salaried Officer to whom paragraphs (1) and (2) apply must complete an application for membership of the Scheme in such form as the Committee shall from time to time determine;

(*b*) in the case of persons to whom paragraph (2) applies membership shall be optional and if such a person does not apply for membership by the 29th June 1964 any subsequent application by him for membership shall be subject to the previous approval of the Authority to which is reserved the right to determine (subject to the approval of the Committee) the effective date of his admission to membership of the Scheme.

(4) A Salaried Officer whose application for membership of the Scheme under paragraph (3) of this Rule is in order shall be admitted to membership of the Scheme

(*a*) as from the 30th December 1963 if he is then eligible and applies for admission by the 30th April 1964;

(*b*) subject to (*a*) above as from the first day of the month coincident with or, if not coincident with, next following the date upon which his application reaches the Secretary within the prescribed period in the case of a person to whom paragraph (3)(*b*) of this Rule applies.

(5) A Salaried Officer who has ceased to be a Member may be re-admitted as a Member by the Committee upon the recommendation of the Authority and the Authority shall on the advice of the Actuary determine the contributions to be paid and the benefits to be provided under the Rules by and in respect of the Member.

Option to persons who are Salaried Officers at 29th December 1963

5.—(1) Every person in the Service on the 30th December 1963 who is and was on the 29th December 1963 a Salaried Officer and whose age at the date of joining the Service did not exceed 55 years in the case of a man or 50 years in the case of a woman and who is to become a Member shall have the option (to be exercised as hereinafter mentioned) to have added to his years of membership of the Scheme any period not exceeding the period of his continuous employment as a Salaried Officer of the Authority up to the date of his admission to membership of the Scheme:

Provided that

(*a*) if any such person is 52 years or over in the case of a man or 47 years or over in the case of a woman then on applying for admission to the Scheme he will be deemed whether or not he exercises the aforesaid option to have elected to have added to his years of membership of the Scheme the period of his employment as aforesaid from his 52nd anniversary of birth if a man or her 47th anniversary of birth if a woman up to the 29th December 1963;

(*b*) for the purpose of the provisions in paragraph (*a*) any such person who was promoted from a wages grade of the Authority after age 52 in the case of a man or age 47 in the case of a woman his employment as aforesaid will be deemed to have commenced from the 52nd anniversary of his birth, if a man, or 47th anniversary of her birth, if a woman;