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STATUTORY INSTRUMENTS

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**1971 No. 61**

**COMMONWEALTH TELEGRAPHS**

**The Commonwealth Telegraphs (Cable and  
Wireless Ltd. Pension) Regulations 1971**

|                               |         |                          |
|-------------------------------|---------|--------------------------|
| <i>Made</i>                   | - - - - | <i>8th January 1971</i>  |
| <i>Laid before Parliament</i> |         | <i>21st January 1971</i> |
| <i>Coming into Operation</i>  |         | <i>2nd March 1971</i>    |

The Minister of Posts and Telecommunications, with the consent of the Minister for the Civil Service, in the exercise of the powers conferred upon him by section 49 of the Post Office Act 1969, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Commonwealth Telegraphs (Cable and Wireless Ltd. Pension) Regulations 1971, and shall come into operation on 2nd March 1971, but shall then have effect from the 30th September 1969, and shall be construed accordingly.

**Interpretation**

2.—(1) These Regulations shall be read as one with the Commonwealth Telegraphs (Cable and Wireless Ltd. Pension) Regulations 1955(1) (hereinafter called “the principal Regulations”).

(2) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

“the appointed day” means the 1st October 1969, being the day appointed under section 1 of the Post Office Act 1969 for the purposes of that Act;

“the Minister” means the Minister of Posts and Telecommunications, and “the Ministry” shall be construed accordingly;

“the paying authority” in relation to a transferee who on the appointed day enters into the service of the Post Office means the Post Office, and in relation to one who remains in the employment of the civil service of the State means the Minister;

“the Post Office” means the authority established under section 6 of the Post Office Act 1969;

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“the Post Office Staff Superannuation Scheme” means the pension scheme established under Section 43(1) of the Post Office Act 1969.

(3) The Interpretation Act 1889, applies for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

### **Amendments to the principal Regulations**

3. The principal Regulations shall be amended as specified in the Schedule hereto.

Dated 4th January 1971

*Christopher Chataway*  
Minister of Posts and Telecommunications

Given under the official seal of the Minister for the Civil Service on 8th January 1971.

L.S.

*K. H. McNeill*  
Authorised by the Minister for the Civil Service

## THE SCHEDULE

### AMENDMENTS TO THE PRINCIPAL REGULATIONS

**Table 1**

| Item | Regulation |   |
|------|------------|---|
| 1    | 2(1)       | For “the Post Office” in each place where it occurs substitute “the Department of the Postmaster General”.  |
| 2    |            | In the definition of “the Superannuation Acts” delete “1950” and substitute “1965”.   |
| 3    |            | At the end of the definition of “transferee” add “being a person who on the appointed day enters into the service of the Post Office or remains in the employment of the civil service of the State, or who has previously retired from the service of the Department of the Postmaster General”. |
| 4    | 5          | For “The Postmaster-General may” in line 1 substitute “The paying authority shall”.   |
| 5    |            | Delete “out of the Post Office Fund” (substituted for “out of moneys provided by Parliament” by section 1(5) of the Post Office Act 1961).  |
| 6    |            | After “or” in line 13 insert “the paying authority”.  |
| 7    |            | For “the Post Office” in line 14 substitute “the Department of the Postmaster General, the Post Office or the civil service of the State (as the case may be)”.   |
| 8    |            | For “the Postmaster-General” in the last line substitute “the Minister” .   |
| 9    | 6(1)       | For “The Postmaster-General may” in line 1 substitute “The paying authority shall”.   |
| 10   |            | Delete “out of the Post Office Fund” (substituted for “out of moneys provided by Parliament” by section 1(5) of the Post Office Act 1961).  |
| 11   | 6(2)       | For “the Post Office” substitute “the Department of the Postmaster General” .   |
| 12   |            | At the end of the paragraph insert “and in the employment of the Post Office or the civil service of the State (as the case may be) into which the person concerned entered or in which he continued, respectively, on the appointed day.”.   |
| 13   | 7          | For “the Postmaster-General may” substitute “the paying authority shall” .  |
| 14   |            | Delete “out of the Post Office Fund” (substituted for “out of moneys provided by Parliament” by section 1(5) of the Post Office Act 1961).  |
| 15   |            | After “employed” in line 10 insert “in the Post Office or”.   |

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| Item | Regulation |  |
|------|------------|--|
| 16   | 8          | After “Superannuation Acts” insert “or the Post Office Staff Superannuation Scheme”.   |
| 17   |            | After “civil service of the State” insert “or the Post Office”.  |
| 18   | 10(3)      | After “Superannuation Acts” insert “or the Post Office Staff Superannuation Scheme”.   |
| 19   | 10(4)      | After “serving” in line 2 insert “in the Post Office or”.  |
| 20   | 10(4)(b)   | For “the Postmaster-General” substitute “the paying authority”.  |
| 21   | 10(5)      | For the words from “shall be payable” to “total of”, substitute “nor any Post Office Staff Superannuation Scheme benefits shall be payable but the paying authority shall pay to or in respect of the persons concerned a sum equal to the total of”.  |
| 22   | 10(6)      | Delete ‘and “Superannuation Acts benefits”’ and substitute ‘ “Superannuation Acts benefits” and “Post Office Staff Superannuation Scheme benefits”’.   |
| 23   | 11(1)      | After “the Post Office” insert “or the civil service of the State”.  |
| 24   |            | For “the Postmaster-General may” substitute “the paying authority shall” .   |
| 25   |            | Delete “out of the Post Office Fund” (substituted for “out of moneys provided by Parliament” by section 1(5) of the Post Office Act 1961).   |
| 26   | 11(2)      | For “the Post Office” substitute “the Department of the Postmaster General” .  |
| 27   |            | At the end of the paragraph insert “and in the employment of the Post Office or the civil service of the State (as the case may be) into which the person concerned entered or in which he continued, respectively, on the appointed day.”.  |
| 28   | 13(2)      | After “Superannuation Acts” insert “or the Post Office Staff Superannuation Scheme”.   |
| 29   | 14(1)      | After “Superannuation Acts” insert “or the Post Office Staff Superannuation Scheme”.   |
| 30   | 15         | After “Superannuation Acts” insert “or the Post Office Staff Superannuation Scheme”.   |
| 31   | 16(1)      | Delete the definition of “Superannuation Acts benefits” and substitute ““Superannuation Acts benefits” and “Post Office Staff Superannuation Scheme benefits” mean any pension benefits (whether payable periodically or in a lump sum) which, apart from this regulation, would or might have been payable to or in respect of a person as an established civil servant or as an employee of the Post Office, except a return of periodical contributions under Part I or Part II of the Superannuation Act 1949 or Part III or Part IV of the Superannuation Act 1965 or in respect of pensions for widows, children and dependants under the Post Office Staff Superannuation Scheme.’. |

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| Item | Regulation |   |
|------|------------|---|
| 32   | 16(2)      | After “as an established civil servant” insert “or in the Post Office”.   |
| 33   |            | After “Superannuation Acts benefits” insert “or Post Office Staff Superannuation Scheme benefits”.  |
| 34   | 16(2)(b)   | For “the Postmaster-General” substitute “the paying authority”.   |
| 35   | 16(3)      | For the words from “shall be payable” to “total of” substitute “nor any Post Office Staff Superannuation Scheme benefits shall be payable but the paying authority shall pay to or in respect of the person concerned a sum equal to the total of”. |
| 36   | 16(5)      | For “the Postmaster-General” in each place where it occurs substitute “the paying authority”.   |
| 37   | 18(1)      | For “The Postmaster-General may” in line 1 substitute “The paying authority shall”.   |
| 38   |            | Delete “out of the Post Office Fund” (substituted for “out of moneys provided by Parliament” by section 1(5) of the Post Office Act 1961).  |
| 39   | 18(2)      | For “the Post Office” substitute “the Department of the Postmaster General” .   |
| 40   |            | At the end of the paragraph insert “and in the employment of the Post Office or the civil service of the State (as the case may be) into which the person concerned entered or in which he continued, respectively, on the appointed day.”.         |
| 41   | 18(4)      | After “Superannuation Acts” insert “or the Post Office Staff Superannuation Scheme”.  |
| 42   |            | After “civil service of the State” insert “or the Post Office”.   |
| 43   | 19(2)      | After “Superannuation Acts” in the second place where it occurs insert “or the Post Office Staff Superannuation Scheme”.  |
| 44   | 19(3)      | After “Superannuation Acts” insert “or the Post Office Staff Superannuation Scheme”.  |
| 45   |            | After “established civil servant” insert “or a pensionable employee of the Post Office, respectively”.  |
| 46   | 20(2)      | After “Superannuation Acts” insert “or the Post Office Staff Superannuation Scheme”.  |
| 47   |            | After “unestablished civil servants” insert “or unpensionable employees of the Post Office, respectively”.  |
| 48   | 20(3)      | After “Superannuation Acts” in the second place where it occurs insert “or the Post Office Staff Superannuation Scheme”.  |
| 49   |            | After “established civil servant” in the second place where it occurs insert “or a pensionable employee of the Post Office, respectively”.  |
| 50   | 26(1)–(4)  | For “the Postmaster-General” in each place where it occurs substitute “the Minister”.   |

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| Item | Regulation |   |
|------|------------|---|
| 51   | 26(5)      | For “the Minister of Labour and National Service” substitute “the Secretary of State for Employment”. |
| 52   | 26(6)      | For “the Postmaster-General” in line 2 substitute “the Minister” .                                    |
| 53   |            | For “the Postmaster-General” in the last line substitute “the paying authority concerned”.            |
| 54   | 26(8)      | For “the Treasury” in line 1 substitute “the Civil Service Department” .                              |

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#### **EXPLANATORY NOTE**

These Regulations amend the Commonwealth Telegraphs (Cable and Wireless Ltd. Pension) Regulations 1955, in consequence of the abolition of the Postmaster General's Department by the Post Office Act 1969. The 1955 Regulations made provision with respect to the pensions of the Staff of Cable and Wireless Ltd. who became employed in that Department as a result of the transfer of the United Kingdom assets of the Company into public ownership on the 1st April 1950. The present Regulations extend these provisions to cover those persons who, on the 1st October 1969 (the appointed day under the Post Office Act 1969) transferred to the service of the new Post Office. The Regulations have retrospective effect under section 6(7) of the Commonwealth Telegraphs Act 1949 as applied by section 49(2) of the Post Office Act 1969.