



# Transport (Amendment) Act (Northern Ireland) 1971 <sup>F1</sup>

## 1971 CHAPTER 14

An Act to authorise the payment of grants to the Northern Ireland Transport Holding Company to enable it to discharge its obligations to pay pensions and compensation to former employees of the Ulster Transport Authority; to enable further provision to be made for securing the future payment of pensions to such employees; and to provide for the charging of loans and liabilities under guarantees on the undertaking and revenues of the Holding Company. [20th May 1971]

**F1** functions transf. by SR 2001/229

### **1 Grants to the Northern Ireland Transport Holding Company.**

- (1) The Ministry of Development<sup>F2</sup> (in this Act referred to as “the Ministry” ), with the approval of the Ministry of Finance, may, out of moneys provided by Parliament, make grants to the Northern Ireland Transport Holding Company (in this Act referred to as “the Holding Company” ) for the purpose of enabling the Holding Company to discharge obligations transferred to it by section 68 of the Transport Act (Northern Ireland) 1967 in respect of pensions and compensation to former employees of the Ulster Transport Authority (in this Act referred to as “the Authority” ).
- (2) Grants under subsection (1) shall consist of—
  - (a) a sum not exceeding two million pounds in respect of the liabilities incurred by the Holding Company on or before 31st March 1971 in meeting its obligations as aforesaid; and
  - (b) such further sums as the Ministry, with the approval of the Ministry of Finance, may determine to be necessary to enable the Holding Company to discharge liabilities incurred by it after 31st March 1971 in meeting its obligations as aforesaid.
- (3) The Holding Company shall make available to the Ministry such documents and records and shall furnish to the Ministry such information as the Ministry may reasonably require for the purposes of its functions under this section.

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**F2** SRO (NI) 1973/504

## **2 Schemes for securing future payment of pensions to former employees of Ulster Transport Authority.**

- <sup>F3</sup>(1) The Holding Company may, after consultation with the staff associations or trade unions representing the members of any pension fund in relation to which the Holding Company has by virtue of section 68 of the Transport Act (Northern Ireland) 1967 <sup>M1</sup> become subject to obligations in respect of pensions to former employees of the Authority, prepare and submit to the Ministry a Scheme or Schemes for securing the future payment of pensions to former employees of the Authority who are members of that fund.
- (2) Nothing in any such Scheme shall adversely affect the rights of any person under the rules of any such fund as aforesaid.
- (3) A Scheme shall not be submitted to the Ministry under subsection (1) unless a two-thirds majority of the members of any fund affected by that Scheme has, by secret ballot, approved the proposals in the Scheme.
- (4) Where the Ministry is satisfied that a Scheme submitted to it under subsection (1) has been prepared and approved in accordance with the foregoing provisions of this section and will enable the Holding Company to discharge more efficiently its obligations mentioned in subsection (1), the Ministry shall, by regulations subject to affirmative resolution, approve the Scheme.
- (5) As from such date as the Ministry approves a Scheme under subsection (4), the rights of any former employee of the Authority under the rules of any fund affected by the Scheme shall be subject to the provisions of the Scheme.
- (6) The Holding Company shall guarantee the rights of any person under a Scheme approved under subsection (4).
- (7) Any grant paid to the Holding Company under section 1 may be applied by it for the purpose of enabling it to meet any obligations imposed on it by any Scheme approved under subsection (4).

**F3** SRO (NI) 1973/38

### **Marginal Citations**

**M1** 1967 c. 37

## **3 Power to amend Ulster Transport Authority (Male Wages Grades) Pension Scheme.**

- (1) The Ministry, with the approval of the Ministry of Finance<sup>F4</sup>, may make regulations, subject to affirmative resolution, amending the provisions of the Ulster Transport Authority (Male Wages Grades) Pension Scheme established by the Authority on 30th December 1963 and, as from the date or dates on which any such regulations come into force, the Scheme shall have effect subject to the amendments made by the regulations.
- (2) Regulations shall be made under subsection (1) only in accordance with an application for amendment of the Scheme made on behalf of the members of the Scheme and

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where the Ministry and the Ministry of Finance<sup>F4</sup> are satisfied that, if the amendments were not made, the members of the Scheme would be unable to retain accrued rights to pensions which, if they had been members of the Ulster Transport Authority Salaried Staff Superannuation Scheme, they would have been entitled to retain under that Scheme.

F4 SR 1976/281

#### **4 Charging of loans and guarantees on the undertaking and revenues of the Holding Company.**

- (1) The Holding Company may, with the approval of the Ministry and of the Ministry of Finance, charge on the undertaking of the Company or a part thereof or on the revenues of the Company or a part thereof or on both the undertaking and the revenues of the Company any loans obtained by the Company in the exercise of its borrowing powers under section 51 of the Transport Act (Northern Ireland) 1967.
- (2) Any sums charged on and issued out of the Consolidated Fund under subsection (5) of the said section 51 for the purpose of fulfilling any guarantee given by the Ministry of Finance under subsection (4) of that section shall be repaid by the Holding Company to the Ministry of Finance on such terms and with interest at such rates as that Ministry may from time to time determine, and until so repaid such sums and interest shall be deemed to be charged on the undertaking and all the revenues of the Holding Company in priority to any other charges not in existence at the date on which the guaranteed loan was raised by the Holding Company.

#### **5 Interpretation.**

In this Act—

“the Authority” means the Ulster Transport Authority;

“compensation” means compensation (being compensation in respect of loss of employment with the Authority or loss or diminution of emoluments or pension rights in respect of such employment) the right to which was acquired by former employees of the Authority who were in the employment of the Authority on 13th February 1964 and whose employment with the Authority terminated between that date and 31st March 1968;

“former employees of the Authority” means employees of the Authority whose employment with the Authority terminated before 1st April 1968;

“the Holding Company” means the Northern Ireland Transport Holding Company;

“the Ministry” means the Ministry of Development<sup>F5</sup>;

“pensions” means pensions the right to which was acquired by former employees of the Authority under one or more of the Schemes and Funds specified in the Schedule and pensions payable to such employees under arrangements made by the Authority with those employees and includes increases in those pensions being increases corresponding to increases made by the Pensions (Increase) Acts (Northern Ireland) 1920 to 1969 and any subsequent enactment passed for purposes similar to the purposes of those Acts.

F5 SRO (NI) 1973/504

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## **6 Short title, construction and citation.**

This Act may be cited as the Transport (Amendment) Act (Northern Ireland) 1971 and shall be construed as one with the Transport Acts (Northern Ireland) 1967 and 1970 and those Acts and this Act may be cited together as the Transport Acts (Northern Ireland) 1967 to 1971.

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## SCHEDULE

### PENSION SCHEMES AND FUNDS

1. Ulster Transport Authority Salaried Staff Superannuation Scheme.
2. Ulster Transport Authority (Male Wages Grades) Pension Scheme.
3. Great Northern Railway Pension Fund for Wages Staff.
4. Belfast and Northern Counties Railway Workmen's Pension Fund.
5. Belfast Omnibus Company Limited Pension and Life Assurance Scheme.
6. Belfast Omnibus Company Limited Pension and Life Assurance Fund.
7. Northern Ireland Road Transport Board Pension and Life Assurance Scheme.
8. Northern Ireland Road Transport Board Pension and Life Assurance Fund.
9. London Midland and Scottish Railway Superannuation Fund.
10. Railway Clearing System Superannuation Fund.

**Changes to legislation:**

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