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STATUTORY INSTRUMENTS

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**1971 No. 60**

**COMMONWEALTH TELEGRAPHS**

**The Commonwealth Telegraphs (Pension Rights of Former Cable and Wireless Ltd. Staff) 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 (Pension Rights of Former Cable and Wireless Ltd. Staff) Regulations 1971 and shall come into operation on the 2nd March 1971, but shall then have effect from the 30th September 1969, and shall be construed accordingly.

**Interpretation**

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

“the Act” means the Post Office Act 1969;

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

“the pension schemes” means the schemes set out in the Schedule hereto, being the schemes referred to in section 49(1)(a) of the Act;

“a person to whom these Regulations apply” means a person who:

- (a) on the passing of the Act was serving in the Department of the Postmaster General, and
- (b) on 1st October 1969 (being the day appointed for the purposes of the Act) becomes employed by the Post Office or continues in the service of the Crown by virtue of employment in the Ministry or the Department for National Savings, and
- (c) immediately before the 1st October 1969 is a member of any of the pension schemes.

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

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

### **Right to remain in Cable and Wireless Ltd. pension schemes**

3. Every person to whom these Regulations apply shall be entitled to remain a member of each of the pension schemes of which he was a member immediately before the appointed day, so long as:

- (a) he remains employed by the Post Office or in the Ministry or the Department for National Savings, as the case may be, and
- (b) the trustees or other persons administering the schemes receive the contributions (if any) which he is from time to time liable to make to the scheme, and such contributions as may be made in respect of him in accordance with Regulation 4.

### **Employers' contributions**

4. The trustees or other persons administering the pension schemes shall accept as employers' contributions in respect of a person to whom these Regulations apply, in lieu of the employers' contributions falling to be made in respect of him by the Postmaster General under the scheme or under Regulation 5 of the Commonwealth Telegraphs (Pension Rights of Cable and Wireless Ltd. Staff) Regulations 1950 (1), contributions made by the Post Office, the Minister or the Department for National Savings.

### **Pensionable service**

5.—(1) The service of every person to whom these Regulations apply in such employment as is mentioned in Regulation 3 shall, so long as he remains a member of any of the pension schemes, be treated as pensionable service for the purposes of each of those schemes of which he remains a member and of any statutory provisions, trust deeds, rules, and other instruments relating thereto, but not for any other purpose.

(2) In relation to a person who by virtue of these Regulations remains a member of the Cable and Wireless Staff Dependants' Fund, any reference in any instrument relating thereto to that person's dying prior to or after his being retired from pensionable service in the Department of the Postmaster General (however described) shall be construed as including a reference to his dying prior to or after his being retired from pensionable service in the Post Office, the Ministry, or the Department for National Savings.

### **Regulations to be terms of pension schemes**

6. The pension schemes and the said statutory provisions and instruments shall have effect as if the provisions of these Regulations were terms thereof notwithstanding anything to the contrary contained therein.

Dated 4th January 1971

*Christopher Chataway*  
Minister of Posts and Telecommunications

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(1) (1950 I, p. 395).

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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

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## THE SCHEDULE

Eastern and Associated Telegraph Companies' Pension Fund  
Cable and Wireless Widows Fund  
Pacific Cable Board Pension Fund  
Pacific Cable Board Provident Fund  
Eastern and Associated Telegraph Companies' Superannuation Fund  
Post Office Transferees' Pension Fund  
Communications Superannuation Fund  
Indo-European Retirement Fund  
Marconi Companies' Staff Superannuation Fund  
Cable and Wireless Pension Fund  
Cable and Wireless Staff Dependents' Fund

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## EXPLANATORY NOTE

These Regulations enable former employees of Cable and Wireless Ltd., who transferred to the Postmaster General's Department on terms that they remained in a pension scheme of the Company, to continue in such a pension scheme on their transfer to the new Post Office, the Ministry of Posts and Telecommunications, or the Department for National Savings, in consequence of the abolition of the Postmaster General's Department by the Post Office Act 1969.

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.