

[26 GEO. 5. &
1 EDW. 8.]

Brighton Corporation
Act, 1936.

[Ch. lxxvii.]



CHAPTER lxxvii.

An Act to confer powers upon the mayor aldermen and burgesses of the borough of Brighton with respect to the prevention of contamination of their water supply to confer further powers upon them in relation to their water undertaking and other matters to make better provision for the health local government and finance of the borough and for other purposes.

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[14th July 1936.]

WHEREAS the borough of Brighton (hereinafter referred to as "the borough") is a county borough under the government of the mayor aldermen and burgesses of the borough (hereinafter referred to as "the Corporation"):

And whereas the Corporation are authorised to supply and are supplying water within and beyond the borough:

And whereas the Corporation's supply of water is derived from the chalk formation by means of pumping stations and wells collecting chambers and adits connected therewith known as the Patcham Mile Oak Shoreham Falmer Goldstone and Balsdean pumping stations:

And whereas it is expedient for the purpose of preventing the contamination of and ensuring the continued purity of the water supplied by the Corporation

[Price 1s. 0d. Net]

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A.D. 1936. — from the Falmer pumping station that the Corporation be authorised to exercise the powers conferred by this Act :

And whereas it is expedient to make further provision with respect to the water undertaking of the Corporation and the health local government and finance of the borough :

And whereas it is expedient that the other provisions of this Act be enacted :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed :

23 & 24
Geo. 5. c. 51.

May it therefore please Your Majesty that it may be enacted and 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 :—

PART I.

PRELIMINARY.

Short title. 1. This Act may be cited as the Brighton Corporation Act 1936.

Division of Act into Parts. 2. This Act is divided into Parts as follows :—
Part I.—Preliminary.
Part II.—Water.
Part III.—Superannuation &c.
Part IV.—Financial provisions.
Part V.—Miscellaneous.

Interpretation. 3. In this Act unless the subject or context otherwise requires and except as otherwise expressly provided—

(1) Words and expressions to which by the Public Health Act 1875 and the Acts amending and extending that Act meanings are assigned have in relation to the relative subject-matter the same respective meanings ;

- (2) "The borough" means the borough of Brighton; A.D. 1936.
- (3) "The Corporation" means the mayor aldermen and burgesses of the borough;
- (4) "The borough accountant" means the borough accountant of the borough;
- (5) "The general rate fund" means the general rate fund of the borough;
- (6) "The Minister" means the Minister of Health;
- (7) "The tramways undertaking" has the meaning assigned to that expression by the Act of 1931;
- (8) "The Act of 1896" means the Poor Law Officers' Superannuation Act 1896; 59 & 60 Vict. c. 50.
- (9) "The Act of 1922" means the Local Government and other Officers' Superannuation Act 1922; 12 & 13 Geo. 5. c. 59.
- (10) "The Act of 1933" means the Local Government Act 1933; 23 & 24 Geo. 5. c. 51.
- (11) "The Act of 1931" means the Brighton Corporation Act 1931; 21 & 22 Geo. 5. c. cix.
- (12) "Statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or reborrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed but shall not include the power to borrow by way of temporary loan or overdraft which is conferred by paragraph (a) of subsection (1) of section 215 of the Act of 1933;
- (13) "Statutory security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and

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38 & 39 Vict.
c. 83.

any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

(14) "Security of the Corporation" means any mortgage bond debenture annuity stock or other security granted issued or created by the Corporation;

(15) "Daily penalty" means a penalty for each day on which any offence is continued by a person after conviction.

PART II.

WATER.

Byelaws for preventing contamination of water supplied from Falmer pumping station.

4.—(1) For the purpose of preventing the contamination of any waters which can or may be intercepted taken or pumped by means of the pumping station of the Corporation known as the Falmer pumping station and any well collecting chamber adit or other work connected with that pumping station (which waters are hereinafter referred to as "the said waters") and of ensuring the purity of the said waters the Corporation may make byelaws for all or any of the purposes mentioned in subsection (2) of section 31 (Byelaws for preventing contamination of water) of the Act of 1931 and to be in force in the area described in subsection (2) of this section or in such part or parts of that area as may be prescribed by the byelaws and that area is in this Part of this Act referred to as a "zone of protection" and shall be deemed to be included in the expression "zone of protection" where used in subsection (2) of the said section 31 and in the provisions of the Act of 1931 which are applied by subsection (3) of this section and by section 5 (Application of provisions of Part III of Act of 1931) of this Act.

(2) The area referred to in subsection (1) of this section is so much of the borough and of the parishes of Falmer and Stanmer in the rural district of Chailey in

the county of East Sussex as is situate within a distance of three-quarters of a mile from the Falmer pumping station.

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(3) The provisions of subsections (4) (5) (6) and (8) of the said section 31 shall extend and apply to and for the purposes of this section as though the same were with any necessary modifications set out at length herein and any reference to arbitration under the said subsection (8) as so extended and applied shall be subject to the provisions of the Arbitration Acts 1889 to 1934.

(4) The maximum penalties which may be imposed by any byelaws made under this section shall be a penalty of twenty pounds for each offence and a daily penalty of five pounds for a continuing offence.

(5) Notwithstanding anything in any other Act proceedings for the recovery of any penalty imposed by any byelaws made under this section may be taken by the Corporation without the consent in writing of the Attorney-General.

5.—(1) The sections of Part III (Water) of the Act of 1931 hereinafter mentioned shall extend and apply to and for the purposes of this Part of this Act as if those sections were re-enacted in this Act with any necessary modifications and in particular as if—

Applica-
tion of
provisions
of Part III
of Act
of 1931.

(a) the expression "the commencement of this Act" in any of those sections meant the passing of this Act;

(b) references to the areas described in subsection (3) of section 31 (Byelaws for preventing contamination of water) of that Act and references to a specified zone were references to the area described in subsection (2) of the last preceding section of this Act;

(c) references to byelaws authorised or made under the said section 31 were references to byelaws authorised or made under the last preceding section of this Act.

(2) The sections of Part III (Water) of the Act of 1931 referred to in subsection (1) of this section are—

Section 32 (For protection of certain local authorities);

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Section 34 (Provisions for enforcement of byelaws);

Section 35 (Penalties on occupiers refusing to give names of owner);

Section 36 (Penalty on occupiers obstructing compliance with byelaws).

Minimum charge for supply of water by meter to certain premises.

6. The minimum quarterly charge (exclusive of meter rent) for a supply of water by meter to any of the premises mentioned in section 51 (Supply to houses partly used for trade &c.) of the Act of 1931 (other than premises to which subsection (2) of that section applies) shall be one quarter of the annual amount which would be payable according to the scale for the time being in force for a supply of water for domestic purposes to a dwelling-house of the same net annual value.

PART III.

SUPERANNUATION &C.

Meaning of expressions in Part III of Act.

7. Words and expressions to which meanings are assigned by the Act of 1922 have in and for the purposes of this Part of this Act the same respective meanings unless there is something in the subject or context repugnant to such construction and in this Part of this Act the expression "officer" includes a servant.

Extension of Act of 1922 to clerk to justices and others.

8.—(1) Subject to the provisions of this section the expressions "officer" and "servant" where used in the Act of 1922 in its application within the borough shall include the clerk to the justices of the borough and any person employed by such clerk in connection with his duties as such clerk Provided that—

- (a) the said expressions "officer" and "servant" shall not include any person to whom notice is given under subsection (3) of this section and who shall within one month after the date of giving such notice intimate in writing to the Corporation that he does not desire that the provisions of this section shall apply to him;
- (b) the provisions of this section shall not come into operation except with the consent of the said justices and of the Secretary of State and

if such consents be given shall operate from the
thirty-first day of December nineteen hundred
and thirty-six;

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(c) a resolution of consent of the said justices under
the foregoing proviso (b) shall only be effective
if passed by the said justices or a majority
of them assembled at special sessions summoned
for that purpose;

(d) the provisions of this section shall not apply
to any person holding the office of clerk to
the justices of the borough unless he is in the
whole-time service of the said justices as such
clerk or to any person employed by the clerk to
such justices unless he is in the whole-time
employment of such clerk in connection with
his duties as such clerk.

(2) The Secretary of State may by Order make
such modifications in the Act of 1922 in its application
within the borough as appear to him to be necessary
or expedient for the purposes of this section.

(3) The Corporation shall within two months after
the passing of this Act give notice in writing of the
provisions of this section to the clerk to the said justices
who is the holder of that office at the time of the passing
of this Act and to all persons who at that time are
in the whole-time employment of the said clerk in
connection with his duties as such clerk.

9.—(1) Subject to the provisions of this section
where a person entitled to receive from the Corporation
any sum to which this section applies is lawfully detained
as a person of unsound mind in accordance with the
Lunacy Act 1890 as amended by any enactment the
Corporation may pay the whole of that sum or so much
thereof as they may think fit to the institution or person
having the care of the person so detained as aforesaid
and may pay or apply the whole or so much as they
think fit of the surplus if any thereof to or for the main-
tenance or benefit of the wife or husband or relations of
the person so detained as aforesaid.

Payment
of pension
&c. of
person of
unsound
mind.

53 & 54 Vict.
c. 5.

(2) This section applies to any sum payable by the
Corporation to an employee or former employee or
pensioner of the Corporation or the widow or a child of
a deceased employee or pensioner by way of salary wages

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— pension superannuation or other allowance or annuity or by way of repayment with or without interest of contributions made to any superannuation or other fund being either a lump sum not exceeding one hundred pounds or an instalment of a periodical payment not exceeding one hundred pounds per annum.

(3) Not less than fourteen days before exercising for the first time in relation to a person detained as aforesaid their power under subsection (1) of this section the Corporation shall give to the master in lunacy notice in writing of their intention in that behalf specifying the name and address of that person and the amount and nature of the sums in respect of which the Corporation intend to exercise the said power.

(4) If at any time the master in lunacy gives to the Corporation notice in writing that he objects to the exercise by the Corporation of the said power in relation to any person the said power shall as from the date of the receipt by the Corporation of the notice cease to be exerciseable by the Corporation in relation to that person unless and until the master withdraws the notice.

(5) The Corporation shall be discharged from all liability in respect of—

- (a) any payment or application of money effected by them in exercise of the said power; and
- (b) any payment or application of money effected by them before the passing of this Act which might have been effected by them in exercise of the said power if the provisions of subsections (1) and (2) of this section had been in force at the date of the payment or application.

As to
payments
due to
deceased
employees.

10.—(1) On the death of an employee of the Corporation to whom a sum not exceeding one hundred pounds is due on account of salary wages return of superannuation contributions (including interest on those contributions if payable) superannuation allowance or grant if probate of the will of the employee or letters of administration of his estate are not produced within such time (not being less than one month after his death) as the Corporation may think reasonable then at the expiration of that time the Corporation may pay the sum to the person or persons entitled in distribution

to the residuary estate of the employee in accordance with the provisions of paragraphs (i) to (v) inclusive of section 46 (1) of the Administration of Estates Act 1925 and section 9 of the Legitimacy Act 1926 and in default of any such person to the Solicitor for the Affairs of His Majesty's Treasury :

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15 & 16
Geo. 5. c. 23.
16 & 17
Geo. 5. c. 60.

Provided that—

- (a) the Corporation may if they think fit pay to any person who has paid the funeral expenses of the deceased employee such amount (not exceeding the total amount of such expenses) as the Corporation shall deem it reasonable to allow ;
- (b) if the Corporation receive notice in writing of any claim of a creditor of the deceased employee before the expiration of one month from the death of the employee they shall retain the whole amount due to the deceased employee in their hands or a sufficient sum thereof to satisfy the claim (whichever amount shall be the less) until the claim has been satisfied disproved or withdrawn.

(2) The Corporation before paying or distributing any moneys under this section to or among any person or persons other than the legal personal representative of the deceased employee shall require—

- (a) where the total estate of the deceased employee including the amount of such moneys does not after deduction of debts and funeral expenses exceed one hundred pounds a declaration to that effect by the person or one of the persons to or among whom the Corporation propose to pay or distribute such moneys ; and
- (b) where the total estate of the deceased employee including the amount of such moneys but after deduction of debts and funeral expenses exceeds one hundred pounds the production of a certificate from the Commissioners of Inland Revenue of the payment of the estate duty and of a duly stamped receipt for the legacy or succession duty payable in respect of such moneys or of a certificate stating that no legacy or succession duty is payable.

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(3) The Corporation and any officer of the Corporation making any payment under the provisions of this section shall be discharged from all liability in respect of such payment and the receipt of the person to whom any such payment is made shall be a good and sufficient discharge to the Corporation for the sum paid.

Power to
pension
employees.

11.—(1) The Corporation if they think fit may make or pay to any employee (being a contributor for the purposes of superannuation under the Act of 1896 or the Act of 1922 or being a person in the permanent service of the Corporation who was fifty-five years of age or more on the first day of April nineteen hundred and thirty-four) who shall lose his office or employment by reason of a reduction of staff or the abolition of his office without becoming entitled to a superannuation allowance under the provisions of the Act of 1896 or the Act of 1922 as the case may be a retiring allowance of such annual amount (not exceeding a sum equal to the superannuation allowance which he would have been entitled to receive if he had attained the age of sixty-five years on the date on which his office or employment terminated and had completed the same period of service (both contributing and non-contributing) as he had actually completed on the same date) and on such terms and conditions as the Corporation may think fit but any employee to whom any such retiring allowance may be so made or paid shall thereupon relinquish any claim to any repayment of contributions or to any other benefit under the Act of 1896 or the Act of 1922 as the case may be :

Provided that where a person in receipt of a retiring allowance under the provisions of this section is appointed to any office or employment by the Corporation or by any authority where his salary or wages are paid directly or indirectly out of any rate or rates or out of any public moneys such allowance shall cease to be paid so long as he continues to hold such office or employment if the salary or wages thereof are equal to or in excess of the amount of such allowance and if such salary or wages are less than the amount of such allowance then only so much of such allowance shall be paid (so long as he holds such office or employment) as will make up the deficiency and that any such person on

ceasing to hold such office or employment shall be entitled to revert to and to receive the full amount of his original retiring allowance.

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(2) The Corporation if they think fit may on such terms and conditions as they may determine add to or increase any superannuation allowance to be received under the Act of 1896 or the Act of 1922 by a contributor or by a person in the permanent service of the Corporation who was fifty-five years of age or more on the first day of April nineteen hundred and thirty-four who shall have retired or ceased to hold office. Provided that no superannuation allowance as added to or increased under the powers of this subsection shall exceed an allowance at the rate of one pound per week.

(3) Any retiring allowance or addition to or increase of superannuation allowance made or paid by the Corporation under the provisions of this section shall be made or paid out of the fund rate revenue or account out of which the salary or wages of such employee was or were paid at the date of his retirement.

12.—(1) The Corporation may if they think fit in cases which are not within the Workmen's Compensation Act 1925 or the Teachers (Superannuation) Acts 1918 to 1925 or any other Act for the time being in force relating to the superannuation of teachers and in which the officer of the Corporation is not entitled to benefits under the Act of 1922 or the Act of 1896 grant a weekly or other allowance (not exceeding one-half of his salary or wages) or in lieu thereof a gratuity of any sum (not exceeding two years' pay) to any of the Corporation's officers who may be disabled or injured in the Corporation's service or may become incapacitated through age sickness or other infirmity or to the widow or family of any officer who may die in the Corporation's service or as a result of injuries received in the Corporation's service.

Power to grant allowances or gratuities in certain cases.

15 & 16
Geo. 5. c. 84.

(2) Every such allowance or gratuity shall be charged on and paid out of the fund or funds on or out of which the salary wages or emoluments of such officer would have been charged or been paid if he had continued in his office.

(3) In and for the purposes of this section the expression "officer" shall include any teacher who is

A.D. 1936. — not entitled to a gratuity under the Teachers (Superannuation) Acts 1918 to 1925 or any Act amending the same and who at the date of the passing of this Act is or shall thereafter be permanently and exclusively employed by the Corporation as the local education authority for the borough or permanently and exclusively employed in any public elementary school in the borough whether provided by the Corporation as the local education authority or not so provided.

Annuities
for widows.

13.—(1) Within one month before the date on which an officer of the Corporation would if he ceased to hold his office or employment first become entitled to a superannuation allowance under paragraph (b) or paragraph (c) of subsection (1) of section 6 of the Act of 1922 or at any time thereafter prior to the date on which he actually ceases to hold his office or employment he may give notice in writing to the borough accountant requiring that the provisions of subsection (2) or subsection (3) of this section shall apply to him and to any wife to whom he is married on the date on which he becomes entitled to a superannuation allowance or (if he dies before ceasing to hold office or employment but would had he so ceased immediately prior to his death have been entitled to a superannuation allowance) to any wife to whom he is married at the date of his death and where any such notice is given then unless the Corporation (being of opinion that the state of health of such person regard being had to his age is not reasonably satisfactory) notify him within one month after the receipt by the borough accountant of the notice that they do not intend to comply with the requirement, subsection (2) or subsection (3) of this section as the case may be shall apply and the other provisions of this section shall have effect :

Provided that a notice under this subsection may be given in respect either of the whole or of a specified part of an allowance and where it is given in respect of a specified part only of an allowance references in this section to the superannuation allowance shall be construed as references to such specified part of the superannuation allowance.

(2) In any case to which this subsection applies—

(a) the amount of the superannuation allowance payable to the officer during the joint lives

of himself and such wife as aforesaid shall in any case covered by the First Schedule to this Act be such proportion of the superannuation allowance which would have been payable under the Act of 1922 if he had not given a notice under this section as is specified in that schedule as appropriate in relation to the ages of such officer and his wife at the date of his retirement and in any other case such proportion of the said superannuation allowance as is certified by an actuary to be just;

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(b) if he predeceases her and—

(i) was in receipt of or entitled to a superannuation allowance; or

(ii) dies before ceasing to hold office or employment but would had he so ceased immediately prior to his death have been entitled to a superannuation allowance;

she shall be entitled after his death to receive for life an annuity equal to one-third of the amount of the superannuation allowance which was or would have been payable under paragraph (a) of this subsection during their joint lives;

(c) if she predeceases him then as from the date of her death or his retirement whichever occurs last the superannuation allowance payable to him shall be an amount equal to two-thirds of the amount which was or would have been payable under paragraph (a) of this subsection during their joint lives.

(3) In any case to which this subsection applies—

(a) the amount of the superannuation allowance payable to the officer shall in any case covered by the Second Schedule to this Act be such proportion of the superannuation allowance which would have been payable under the Act of 1922 if he had not given a notice under this section as is specified in that schedule as appropriate in relation to the ages of such

A.D. 1936.
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officer and his wife at the date of his retirement and in any other case such proportion of the said superannuation allowance as is certified by the actuary to be just;

(b) if he predeceases her and—

(i) was in receipt of or entitled to a superannuation allowance; or

(ii) dies before ceasing to hold office or employment but would had he so ceased immediately prior to his death have been entitled to a superannuation allowance;

she shall be entitled after his death to receive for life an annuity equal to one-third of the amount of the superannuation allowance which was or would have been payable to him under the Act of 1922 if he had not given a notice under this section.

(4) The first payment of any superannuation allowance to a person under this section shall be accompanied by a statement showing the amount of any annuity which may become payable under this section.

(5) An annuity under this section shall be payable out of the superannuation fund Provided that if the superannuation allowance of the officer was by reason of the proviso to subsection (1) of section 16 of the Act of 1922 not payable wholly out of the superannuation fund such proportion only of the annuity shall be paid out of the superannuation fund as corresponds to the portion of the said superannuation allowance which was so payable and the balance shall be paid out of the general rate fund.

(6) In any case in which an annuity becomes payable under this section—

(i) the Corporation shall not be required to make any payment to the legal personal representative of the deceased officer under the provisions of section 12 of the Act of 1922;

(ii) on the cesser of the annuity by reason of the death of the recipient the Corporation shall pay to her legal personal representative such sum if any as shall be equal to the amount

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by which the aggregate amount of the contributions of the officer under the Act of 1922 together with compound interest thereon calculated to the date of his death or the date of his retirement whichever first occurred at the rate of three per centum per annum with half-yearly rests exceeds the aggregate of the amounts which he received by way of superannuation allowance under the Act of 1922 whether as originally enacted or as amended by this Act and she received by way of annuity under this section.

(7) An annuity under this section shall not be capable of assignment or transfer.

(8) The provisions of this section other than those of subsection (6) thereof shall with the necessary modifications extend and apply to—

(a) any officer of the Corporation; and

(b) any registration officer as defined by subsection (3) of section 14 (As to superannuation of registration officers) of this Act;

to whom at the passing of this Act the provisions of the Act of 1896 apply.

(9) The provisions of this section shall also apply to any officer who prior to the passing of this Act but on or after the first day of April nineteen hundred and thirty retired with a superannuation allowance and who (a) within one month after the passing of this Act shall give notice in writing to the borough accountant to the effect set forth in subsection (1) of this section and (b) agrees to pay such sum as the borough accountant may certify to be equivalent to the sums by which such officer's superannuation allowance would have been reduced if the provisions of subsection (2) or subsection (3) of this section (as the case may be) had been applicable to him at the date of his retirement together with compound interest on such sums at the rate of four pounds per centum per annum.

(10) The Minister may on application made by the Corporation by order alter as respects officers giving notice under subsection (1) of this section after the date of the order any of the percentages specified in the First

A.D. 1936. or Second Schedules to this Act so far as may be necessary to secure that the benefits provided by this section for officers and their wives shall be actuarially equivalent to the benefits to which such officers would have been entitled if they had not given such notice as aforesaid.

As to super-
annuation
of regis-
tration
officers.
19 & 20
Geo. 5. c. 17.

14.—(1) Any person appointed as a registration officer at any time after the thirty-first day of March nineteen hundred and thirty-four who immediately before his appointment was subject by virtue of section 124 of the Local Government Act 1929 (in this section called “the Act of 1929”) or of that section and section 122 of the Act of 1929 or of those provisions as amended by any local Act (including the provisions of this section) to the Act of 1896 as modified by or in pursuance of the Act of 1929 or to the Act of 1922 as modified by the Act of 1929 shall be deemed for the purposes of section 124 of the Act of 1929 to be in the service of the Corporation as respects that appointment.

(2) Subject to the provisions of subsection (1) of this section any person appointed as a registration officer at any time after the thirty-first day of March nineteen hundred and thirty-four shall for the purposes of the Act of 1922 as respects that appointment be deemed to be in the service of the Corporation occupying a post which was designated as an established post on the first day of April nineteen hundred and thirty-four.

(3) For the purposes of this section the expression “registration officer” means a superintendent registrar or a registrar of births and deaths (including a registrar exercising any of the functions of registrars of marriages) for a district or sub-district in relation to which registration functions are discharged by the Corporation.

Reduction
or suspen-
sion of
salary or
wages.

15.—(1) In the event of the salary or wages of an officer being either—

- (a) reduced in consequence of a reduction of the duties which he has to perform and not on the ground of misconduct; or
- (b) reduced on account of his mental or physical infirmity; or
- (c) reduced or suspended by reason of illness;

he may if he so desires with the consent of the Corporation either— A.D. 1936.

- (i) continue to contribute to the superannuation fund in all respects as if such reduction or suspension had not taken place; or
- (ii) pay into the superannuation fund forthwith on such reduction or suspension ceasing to have effect or on his resignation or on his otherwise ceasing to hold his office or employment whichever shall first occur (in this section referred to as "the material date") or by such instalments as may be agreed between him and the Corporation a sum equal to the difference between the amount (if any) which he has contributed thereto during the period of such reduction or suspension and the amount which he would have contributed thereto if such reduction or suspension had not taken place together with compound interest on that sum calculated at the rate of four per centum per annum with half-yearly rests.

(2) In the event of any sum payable by an officer under paragraph (ii) of subsection (1) of this section being agreed to be paid by instalments the first instalment shall be not less than one-tenth of the total sum payable and shall be payable within one year from the material date and the whole of the instalments shall be payable within a period not exceeding ten years from that date with compound interest on the amount for the time being unpaid calculated at the rate of four per centum per annum with half-yearly rests as from the material date.

(3) In the event of an officer or servant making such payment or continuing to contribute as aforesaid—

- (a) in the former case the amount of his salary or wages shall for the purposes of the Act of 1922 be deemed to be the amount of the salary or wages which he would have received; and
- (b) in the latter case the amount of his salary or wages for the period in respect of which he so continues to contribute shall for the purposes of the Act of 1922 be deemed to be the amount of the salary or wages which he would have received in respect of that period;

if such reduction or suspension had not taken place.

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(4) For the purpose of calculating the amount which may be or is required to be paid by way of return of contributions to or in respect of an officer under section 9 (Forfeiture for fraud &c.) section 10 (Return of contributions with interest in certain cases) section 11 (Return of contributions without interest in certain cases) section 12 (Return of contributions in case of death) and section 17 (Contributors for less than ten years) of the Act of 1922 the whole of the sum paid by him under this section (or if the amount is payable by instalments under subsection (2) of this section the amount of the instalments paid by the officer to the date of the determination of the appointment or his death as the case may be) shall be treated as contributions which have been paid by him to the superannuation fund.

(5) If any instalment of the sum payable by an officer under this section remains to be paid at the date on which the officer becomes entitled to a superannuation allowance the amount of each such instalment shall with accrued interest thereon be deducted from the payment or payments of superannuation allowance made next after the instalment has become due until the whole sum payable has been recovered.

Joint
appoint-
ments.

16.—(1) When making any joint appointment of two or more officers the Corporation shall determine the salary to be paid to each of such officers.

(2) In regard to a joint appointment already made of two or more officers to whom a combined salary is paid the Corporation may determine the apportionment of such salary between such officers and the amount apportioned to each such officer shall be deemed to be his salary for the purposes of the Act of 1922.

(3) If the holder of a joint appointment—

(a) loses his office or employment by reason of the death removal retirement resignation or incapacity of another holder of office; and

(b) has either attained the age of fifty years or has completed aggregate service of not less than twenty years;

he shall unless he is reappointed to the same office or employment or is appointed to a similar office or employment at not less salary be entitled to receive a superannuation allowance under the Act of 1922 :

Provided that this subsection shall not apply when the joint appointment is of husband and wife and is determined in consequence of an offence of one of them of a fraudulent character or grave misconduct.

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(4) In this section "joint appointment" includes any office or employment the tenure whereof is determined by the death removal retirement resignation or incapacity of another person in the service of the Corporation.

17.—(1) (a) Any person—

- (i) who was formerly in the whole-time employment of the board of guardians of the parish of Brighton and who by virtue of the Local Government Act 1929 was transferred to the service of the Corporation; and
- (ii) who during the whole or part of the time of such employment by an authority to whom the Act of 1896 applied (in this section called "the excluded period") was not required by that Act to make any contributions or submit to any deductions from her salary in consequence of having signified under the Poor Law Officers' Superannuation Act Amendment Act 1897 her intention not to avail herself of the provisions of the Act of 1896; and
- (iii) who is in the whole-time service of the Corporation; and
- (iv) who at the passing of this Act occupies or may thereafter occupy a post designated as an established post for the purposes of the Act of 1922;

Super-
annuation
of certain
poor law
officers.

60 & 61 Vict.
c. 28.

may (if she thinks fit) at any time within three months after the passing of this Act or after the date of her appointment to a designated post whichever is the later undertake to pay to the Corporation such sum in respect of her non-contributing service (including service during the excluded period) as the Corporation shall determine by reference to a scale to be prepared by an actuary :

Provided that where such person within three months after she is informed of the determination of the Corporation under this subsection informs the Corporation in

A.D. 1936.

— writing that she elects to pay into the superannuation fund a sum less than the sum determined as aforesaid she shall be entitled to reckon as part of her contributing service such proportion of her non-contributing service as the sum she so elects to pay bears to the sum so determined.

(b) The scale hereinbefore referred to shall be prepared so that the sums to be paid in accordance therewith will in the opinion of the actuary repay to the superannuation fund the additional liability which will be imposed upon it by reason of such person availing herself of the provisions of this section and any such scale may be revised by the actuary from time to time but not so as to affect the interests of any person already in the service of the Corporation.

(2) If such person gives an undertaking under subsection (1) of this section her non-contributing service or proportion thereof as the case may be shall be reckoned as contributing service.

(3) Any sum payable by any such person in pursuance of an undertaking given under this section shall be paid either in a lump sum forthwith or by such instalments as may be agreed between her and the Corporation:

Provided that the whole of such instalments shall be payable within a period of five years from the date on which she is informed of the determination of the Corporation under paragraph (a) of subsection (1) of this section.

(4) For the purpose of calculating the amount which may be or is required to be paid by way of return of contributions to or in respect of any such person under section 9 (Forfeiture for fraud &c.) section 10 (Return of contributions with interest in certain cases) section 11 (Return of contributions without interest in certain cases) section 12 (Return of contributions in case of death) and section 17 (Contributors for less than ten years) of the Act of 1922 the sum paid by her under this section prior to the date of the termination of her appointment or her death (as the case may be) shall be treated as contributions which have been paid by her to the superannuation fund.

[26 GEO. 5. &
1 EDW. 8.]

Brighton Corporation
Act, 1936.

[Ch. lxvii.]

(5) If any instalment of the sum payable by any person under this section remains to be paid at the date on which she becomes entitled to a superannuation allowance the amount of such instalment shall be deducted from the payment or payments of superannuation allowance made next after the instalment has become due until the whole sum payable has been recovered.

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PART IV.

FINANCIAL PROVISIONS.

18. The Corporation shall have power in addition to and without prejudice to their powers of borrowing under the Act of 1933 from time to time to borrow without the consent of any sanctioning authority the sum or sums requisite for the payment of the costs charges and expenses of this Act and they shall pay off all money so borrowed within such period as they may determine not exceeding five years from the passing of this Act.

Power to
borrow.

19.—(1) In addition to the modes in which money may be raised under section 196 of the Act of 1933 the Corporation may raise any money which they are authorised to borrow under any statutory borrowing power—

Modes of
raising
money.

(a) by the issue of stock under and subject to the provisions of Part XXV of the Act of 1931;

(b) by the issue of Brighton Corporation bonds subject to the provisions of section 460 (Power to borrow by issue of bonds) of the Act of 1931.

(2) Section 452 (Mode of raising money) of the Act of 1931 is hereby repealed.

20. Subject to the provisions of any scheme for the time being in force under section 510 (Consolidated loans fund) of the Act of 1931 section 454 (Mode of payment off of money borrowed) of that Act shall have effect as if the words "under any statutory borrowing power" were substituted for the words "under the powers of this Act."

Amend-
ment of
section 454
of Act of
1931.

A.D. 1936.

—
Power to
Corporation
to advance
money for
erection of
buildings.

21.—(1) The Corporation may advance money to the purchaser or lessee of any lands acquired by them under the provisions of this Act or any local Act for the time being in force within the borough and with the consent of the Minister to the purchaser or lessee of any other lands belonging to the Corporation and not required for the purposes for which they were acquired for the purpose of enabling or assisting him to erect buildings on such land provided that any advance shall not exceed two-thirds of the amount which in the opinion of the Corporation will be the market value of the interest of such purchaser or lessee in the land with the intended building erected thereon.

25 & 26

Geo. 5. c. 40.

(2) Every such advance shall be repaid with interest at a rate not less than the rate for the time being in operation for the purposes of loans under the Small Dwellings Acquisition Acts 1899 to 1923 as amended by section 92 of the Housing Act 1935 within such period not exceeding thirty years from the date of the advance as may be agreed upon between the Corporation and such purchaser or lessee.

(3) The repayment may be made either by equal instalments of principal or by an annuity of principal and interest combined and all payments on account of principal and interest shall be made at such periods not exceeding half a year as may be agreed between the said purchaser or lessee and the Corporation.

(4) Any such purchaser or lessee to whom an advance has been made may at any of the usual quarter days after one month's written notice and on paying all sums due on account of interest repay to the Corporation the whole of the outstanding principal of the advance or any part thereof being one hundred pounds (or such less sum as may be provided in the instrument hereinafter referred to) or a multiple of one hundred pounds (or of such less sum as aforesaid) and where the repayment is made by an annuity of principal and interest combined the amount so outstanding and the amount by which the annuity will be reduced where a part of the advance shall be paid off shall be determined by a table to be annexed to the instrument securing the repayment of the advance.

(5) Before making any advance under this section the Corporation shall be satisfied that the repayment to

them of the advance is secured by a mortgage to them of the building in respect of the erection of which the advance is made and of the land upon which such building is to be erected or of the lessee's interest therein subject to the right of redemption by the said purchaser or lessee and that such mortgage requires such purchaser or lessee to keep the building insured against fire to the satisfaction of the Corporation and to produce the receipts for the premium paid in respect of such insurance to the Corporation when required by them and to keep the building in good repair.

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(6) The Corporation shall have power to enter the building in respect of the erection of which any advance is made by them by any person authorised by them in writing for the purpose at all reasonable times for the purpose of ascertaining whether the conditions of this section and of the instrument aforesaid are complied with.

(7) The said purchaser or lessee may with the permission of the Corporation (which permission shall not be unreasonably withheld) at any time transfer his interest in the building in respect of which such advance is made and the land upon which the same is erected but any such transfer shall be made subject to the foregoing provisions of this section.

(8) The provisions of section 27 of the Gas Undertakings Act 1934 and of section 3 of the Brighton Hove and Worthing Gas Act 1934 shall extend and apply to the Corporation as if every advance under this section were a sale or letting or a selling leasing or letting or other disposal to which the restrictions contained in those provisions respectively apply.

24 & 25
Geo. 5. c. 28.
24 & 25
Geo. 5.
c. xvii.

22.—(1) The Corporation may establish a fund to be called "the capital fund" to which they may pay any sums derived from the sale of corporate estate the balance of the general rate fund in hand at the close of any year and such other sums from the general rate fund (including a sum equal to the interest earned on the capital fund and any income arising from the application of the fund to the purposes authorised) as the Corporation may by resolution direct not being moneys directed by law to be applied to any other purpose :

Capital
fund.

A.D. 1936.

Provided that—

(a) any sum directed by the Corporation to be paid to the capital fund from the general rate fund (exclusive of the sum equal to the interest earned on the capital fund and the income (if any) arising from the application of the fund to the purposes authorised) shall not exceed in any year the equivalent of a rate of twopence in the pound calculated according to the rules made pursuant to sections 9 and 58 of the Rating and Valuation Act 1925;

(b) payments into the capital fund shall cease to be made whenever the said fund amounts to the sum of fifty thousand pounds.

(2) The Corporation may apply the moneys in the capital fund for the purpose of defraying (to an amount not exceeding five thousand pounds in any one transaction) expenditure to which capital is properly applicable other than—

(a) expenditure in connection with the tramways undertaking or their water undertaking or electricity undertaking;

(b) expenditure in connection with any of their undertakings (other than the undertakings mentioned in paragraph (a) of this subsection) in respect of which a reserve fund provided under section 514 (Application of revenue of undertakings) of the Act of 1931 is for the time being in existence; and

(c) expenditure to which the next succeeding section of this Act applies.

(3) (a) Pending the application of the capital fund to the purpose authorised in the foregoing subsection the moneys in the fund shall be either invested in statutory securities or used in the manner provided by subsection (2) of section 510 (Consolidated loans fund) or section 512 (Use of moneys forming part of sinking and other funds) of the Act of 1931.

(b) Any income arising from the investment or use of the moneys in the capital fund in the manner provided by the foregoing paragraph of this subsection and any

15 & 16
Geo. 5. c. 90.

income arising from the application of the fund to the purpose authorised shall be carried to and form part of the general rate fund. A.D. 1936.

(4) All moneys derived from the sale of corporate estate which are applied from the capital fund under the provisions of this section shall and all other moneys which are applied from the capital fund under those provisions may if the Corporation think fit be repaid from the account to which such moneys were advanced by such annual instalments with or without interest and within such period as may be determined by the Corporation :

Provided that where the advance is in the exercise of a statutory borrowing power such period shall not exceed the period prescribed for the repayment of moneys borrowed under that power.

23.—(1) The Corporation may establish a fund to be called the "art fund" to provide for the purchasing of any pictures sculptures or other objects of art or interest which in their opinion it is desirable at any time to acquire for exhibition in and as additions to the collection in the Corporation's library and art gallery and museum and such fund shall be formed by annually appropriating thereto out of the general rate fund such an amount as the Corporation may from time to time determine not exceeding two hundred pounds a year. Provided that when the fund aforesaid shall amount to five thousand pounds the Corporation shall discontinue such annual payments but if the fund is at any time reduced below the sum of five thousand pounds the Corporation may recommence and continue the annual payment until the fund be restored to the sum of five thousand pounds. Art fund.

(2) (a) Pending the application of the art fund to the purposes authorised in the foregoing subsection the moneys in the fund shall be either invested in statutory securities or used in the manner provided by subsection (2) of section 510 (Consolidated loans fund) or section 512 (Use of moneys forming part of sinking and other funds) of the Act of 1931.

(b) Any income arising from the investment or use of the moneys in the art fund in manner provided by the foregoing paragraph of this subsection shall be carried to and form part of the general rate fund.

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(3) The Corporation shall in every year so long as the art fund is less than the maximum prescribed by this section pay into that fund out of the general rate fund an amount equal to the income arising from the investment or use of the moneys in the art fund and carried to the general rate fund.

Renewal
and repairs
fund.

24.—(1) The Corporation may establish a fund to be called the “renewal and repairs fund” which shall be formed by appropriating thereto in any year out of the general rate fund (a) any sum not exceeding an amount equal to twelve and one-half per centum of the cost incurred by the Corporation (otherwise than for the purposes of the undertakings of the Corporation from which revenue is derived) in connection with the provision of horses carts mechanically propelled vehicles stables depots boilers and equipment and apparatus in connection therewith as shown in the accounts at the thirty-first day of March in any such year and (b) any sum not exceeding the average annual cost incurred by the Corporation during the previous three years in connection with the maintenance and repair of buildings (other than buildings forming part of or used for the purposes of the undertakings of the Corporation from which revenue is derived or buildings in respect of which the Corporation are required to keep a housing repairs account under the provisions of any general Act for the time being in force).

(2) The maximum amount standing to the credit of the renewal and repairs fund shall not at any time exceed twenty thousand pounds.

(3) The renewal and repairs fund shall be applicable only to meet expenses requisite for the maintenance and renewal of the appliances works equipment and buildings referred to in subsection (1) of this section which are not comprised in the undertakings of the Corporation from which revenue is derived and shall be so applied from time to time for the purpose of equalising so far as may be the annual charge to revenue in respect of such expenses.

(4) (a) Pending the application of the renewal and repairs fund to the purposes authorised in the foregoing subsection the moneys in the fund shall be either invested in statutory securities or used in the manner provided

by subsection (2) of section 510 (Consolidated loans fund) or section 512 (Use of moneys forming part of sinking and other funds) of the Act of 1931.

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(b) Any income arising from the investment or use of the moneys in the renewal and repairs fund in manner provided by the foregoing paragraph of this subsection shall be carried to and form part of the general rate fund.

(5) The Corporation shall in every year so long as the renewal and repairs fund is less than the maximum prescribed by this section pay into that fund out of the general rate fund an amount equal to the income arising from the investment or use of the moneys in the renewal and repairs fund and carried to the general rate fund.

25.—(1) Subsection (3) of section 2 of the Public Health (Interments) Act 1879 shall be extended to enable the Corporation to accept a capital sum for the purpose of maintaining—

Extension
of section
2 (3) of
Public
Health
(Inter-
ments) Act
1879.

a particular grave or grave space or monument in a cemetery provided by the Corporation under the Public Health Acts 1875 to 1925 or in a burial ground provided by the Corporation under the Burial Acts 1852 to 1906 or in a crematorium provided by the Corporation under the Cremation Act 1902; or

42 & 43 Vict.
c. 31.

a particular receptacle for the preservation of ashes in any such crematorium.

2 Edw. 7.
c. 8.

(2) (a) Any such capital sum shall be either invested in statutory securities or used in the manner authorised by subsection (2) of section 510 (Consolidated loans fund) or section 512 (Use of moneys forming part of sinking and other funds) of the Act of 1931 and a sum equal to the interest thereon applied in maintaining the grave or grave space or monument or receptacle in such manner as the Corporation think fit.

(b) Any income arising from the investment or use of such capital sum in the manner provided by the foregoing paragraph of this subsection shall be carried to and form part of the general rate fund.

(3) Any such capital sum and the interest thereon shall be shown separately in the accounts of the Corporation relating to the cemetery burial ground or crematorium.

A.D. 1936.

—
Amendment
and revocation
of schemes
under section
510 of Act of
1931.

26. Any scheme already approved or hereafter approved by the Minister under section 510 (Consolidated loans fund) of the Act of 1931 may be altered amended or revoked by a scheme approved in like manner and subject to the like provisions as the original scheme.

PART V.

MISCELLANEOUS.

Power to
convey land
to National
Trust
and local
authorities.
7 Edw. 7.
c. cxxxvi.

27.—(1) The Corporation may convey any lands for the time being belonging to them—

(a) to the National Trust for Places of Historic Interest or Natural Beauty to be held by the trust under and subject to the provisions of the National Trust Act 1907; or

(b) for the purpose of a park or recreation ground to any local authority;

and any such conveyance may be made on such terms and conditions and subject to such covenants reservations and restrictions as the Corporation may think fit for securing the preservation of public amenities the protection of the water supply and otherwise.

(2) The Corporation shall not under the powers of this section convey to any local authority any lands for the time being belonging to them and situate in the borough of Hove without the consent of the mayor aldermen and burgesses of that borough.

Stopping
up of part
of Farm
Yard.

28. The Corporation with the consent of the owners of the premises known as 75 76 and 77 North Street in the borough may stop up and discontinue for traffic of every description so much of the highway in the borough known as Farm Yard as is bounded by the southerly side of those premises and an imaginary line drawn parallel to and at a distance of four feet six inches therefrom and on the stopping up thereof all public and private rights of way and all other rights in over or affecting the said portion of highway shall be by virtue of this Act extinguished and the soil thereof shall vest in the owners of the said premises.

Nuisance
arising from
pigeons.

29. For the purpose of abating or mitigating any nuisance annoyance or damage caused by the congregation at any place in the borough of house doves

or pigeons having or believed by the Corporation to have no owner or of preventing or minimising any such nuisance annoyance or damage which might in the opinion of the Corporation be so caused the Corporation may notwithstanding anything in the Larceny Act 1861 or in any other Act seize and destroy or sell or otherwise dispose of or cause to be seized and destroyed or sold or otherwise disposed of any such house doves or pigeons in excess of such number as the Corporation may consider reasonable and take such other steps as they may deem necessary for any such purpose Provided that the Corporation shall not in the exercise of the powers conferred by this section—

A.D. 1936.

24 & 25 Vict.
c. 96.

- (a) enter upon any building or land (other than a public highway) without the consent of the occupier or the person having the exclusive control and management of such building or land; or
- (b) execute or do any work or thing affecting the structure of such building or the use of such land without the consent of the person in whom such building or land is vested; or
- (c) knowingly destroy sell or otherwise dispose of or cause to be destroyed sold or otherwise disposed of any house dove or pigeon belonging to any person.

30.—(1) Where any sign illuminated by a luminous-discharge-tube is attached to or against any building or structure the owner of such sign shall to the reasonable satisfaction of the Corporation provide and maintain in proper working order a switch or other apparatus in such position as to be readily accessible by members of the fire brigade of the Corporation from the exterior of such building or structure for disconnecting the supply of electricity to such sign and such switch shall be so designed that the supply of electricity will be disconnected when the handle of the switch is moved to an upward position.

External switches to be provided in connection with certain illuminated signs.

Provided that nothing in this section shall preclude the owner of any sign from making such provision as may be agreed between such owner and the chief officer of the said fire brigade for rendering such switch or

A.D. 1936. apparatus so far as practicable inaccessible to persons
— other than members of the said fire brigade.

(2) Any person who fails to comply with the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(3) For the purposes of this section—

“ Sign ” means any advertisement word letter or device used for purposes of advertisement or for imparting information to the public; and

“ Luminous-discharge-tube ” means any tube or other vessel or device constructed of translucent material hermetically sealed and designed for the emission of light arising from the passage of an electric current through a gas or vapour contained within it other than—

(a) a cathode glow lamp in which the greater part of the light is produced by the cathode glow; and

(b) any tube or other vessel or device designed to operate at a lower voltage than five hundred volts if (where the striking voltage is five hundred volts or more) a Tesla coil is used for starting purposes.

Application
of Libraries
Offences
Act 1898
and further
powers to
make bye-
laws with
respect to
libraries &c.
61 & 62 Vict.
c. 53.

31.—(1) The Libraries Offences Act 1898 shall apply to any library newsroom museum or art gallery to which Part X (Royal Pavilion libraries museums and art galleries) of the Act of 1931 applies.

(2) The Corporation may in addition to the purposes for which they are authorised to make byelaws with respect to their libraries newsrooms museums or art galleries by that Part X make byelaws for enabling their officers and servants to exclude or remove from any library newsroom museum or art gallery any person committing any offence against the said Act of 1898 or against byelaws.

Correction
of clerical
error in
Seventh
Schedule of
Act of 1931.

32. In the reference in the second column of Part I of the Seventh Schedule to the Act of 1931 to the houses numbered 51 to 66 inclusive in Regency Square the word “ east ” shall be substituted for the word “ west.”

33.—(1) The confirming authority for the purposes of section 250 of the Act of 1933 shall as respects byelaws made under this Act be the Minister.

A.D. 1936.
—
Confirming
authority
for byelaws.

(2) Notwithstanding the provisions of any Act or Order relating to the procedure for the making of byelaws by the Corporation the provisions of the said section 250 shall apply to all byelaws to be made by the Corporation in respect of the tramways undertaking and in the application of such last-mentioned provisions the Minister of Transport shall be the confirming authority.

34. The following sections of the Act of 1931 shall extend and apply to and for the purposes of this Act as if they were re-enacted in this Act with any necessary modifications :—

Incorpora-
tion of
general
sections of
Act of 1931.

Section 554 (Powers of court of summary jurisdiction on appeal);

Section 555 (Appeals to court of quarter sessions);

Section 560 (Recovery of penalties &c.);

Section 561 (Saving for indictments &c.);

Section 562 (Powers of Act cumulative).

35.—(1) The Minister or the Minister of Transport as the case may be may hold such inquiries as he may consider necessary in regard to the exercise of any powers conferred upon him or the giving of consents under the Act of 1931 or this Act and section 290 of the Act of 1933 shall apply accordingly.

Inquiries by
Minister and
Minister of
Transport.

(2) Section 565 (Inquiries by Minister of Health) and section 566 (Inquiries by Minister of Transport) of the Act of 1931 are hereby repealed.

36. The costs charges and expenses of and incidental to preparing applying for and obtaining this Act as taxed by the taxing officer of one of the Houses of Parliament shall be paid by the Corporation out of the general rate fund or out of moneys to be borrowed under this Act.

Costs of Act.

A.D. 1936.

The SCHEDULES referred to in the
foregoing Act.

FIRST SCHEDULE.

Percentage of the full superannuation allowance payable under the Act of 1922 to an officer or servant which may be paid during the joint lives of such officer or servant and his wife in order that (1) his wife shall be entitled to receive during the remainder of her life after his death an annuity equal to one-third of the amount of the superannuation allowance payable during their joint lives and (2) the officer or servant shall be entitled to receive during the remainder of his life after the death of his wife an annuity equal to two-thirds of the amount of the superannuation allowance payable during their joint lives.

Age last birthday of wife at date of retirement of officer or servant.	Age last birthday of officer or servant at date of his retirement.							
	60	61	62	63	64	65	66	67
50	87	—	—	—	—	—	—	—
51	87 $\frac{1}{2}$	86 $\frac{1}{2}$	—	—	—	—	—	—
52	88 $\frac{1}{4}$	87 $\frac{1}{4}$	86	—	—	—	—	—
53	89	88	86 $\frac{3}{4}$	85 $\frac{1}{2}$	—	—	—	—
54	89 $\frac{3}{4}$	88 $\frac{3}{4}$	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85	—	—	—
55	90 $\frac{1}{2}$	89 $\frac{1}{2}$	88 $\frac{1}{4}$	87	85 $\frac{3}{4}$	84 $\frac{1}{2}$	—	—
56	91 $\frac{1}{4}$	90 $\frac{1}{4}$	89	87 $\frac{3}{4}$	86 $\frac{1}{2}$	85 $\frac{1}{4}$	84	—
57	92	91	89 $\frac{3}{4}$	88 $\frac{1}{2}$	87 $\frac{1}{4}$	86	84 $\frac{3}{4}$	83 $\frac{1}{2}$
58	93	92	90 $\frac{3}{4}$	89 $\frac{1}{2}$	88 $\frac{1}{4}$	87	85 $\frac{3}{4}$	84 $\frac{1}{4}$
59	94	92 $\frac{3}{4}$	91 $\frac{3}{4}$	90 $\frac{1}{2}$	89 $\frac{1}{4}$	88	86 $\frac{3}{4}$	85 $\frac{1}{4}$
60	95	93 $\frac{3}{4}$	92 $\frac{3}{4}$	91 $\frac{1}{2}$	90 $\frac{1}{4}$	89	87 $\frac{3}{4}$	86 $\frac{1}{4}$
61	96	94 $\frac{3}{4}$	93 $\frac{3}{4}$	92 $\frac{1}{2}$	91 $\frac{1}{4}$	90	88 $\frac{3}{4}$	87 $\frac{1}{4}$
62	97	95 $\frac{3}{4}$	94 $\frac{3}{4}$	93 $\frac{1}{2}$	92 $\frac{1}{4}$	91	89 $\frac{3}{4}$	88 $\frac{1}{4}$
63	98	96 $\frac{3}{4}$	95 $\frac{3}{4}$	94 $\frac{1}{2}$	93 $\frac{1}{4}$	92	90 $\frac{3}{4}$	89 $\frac{1}{2}$
64	99 $\frac{1}{4}$	98	97	95 $\frac{3}{4}$	94 $\frac{1}{2}$	93 $\frac{1}{4}$	92	90 $\frac{3}{4}$
65	—	99	98	97	95 $\frac{3}{4}$	94 $\frac{1}{2}$	93 $\frac{1}{4}$	91 $\frac{3}{4}$
66	—	—	99 $\frac{1}{4}$	98 $\frac{1}{4}$	97	95 $\frac{3}{4}$	94 $\frac{1}{4}$	93
67	—	—	—	99 $\frac{1}{2}$	98 $\frac{1}{4}$	97	95 $\frac{3}{4}$	94 $\frac{1}{4}$

SECOND SCHEDULE.

A.D. 1936.

Percentage of the full superannuation allowance payable under the Act of 1922 which may be paid to an officer or servant during his lifetime in order that his wife shall be entitled to receive during the remainder of her life after his death an annuity equal to one-third of the amount of such full superannuation allowance.

Age last birth-day of wife at date of retirement of officer or servant.	Age last birthday of officer or servant at date of his retirement.							
	60	61	62	63	64	65	66	67
50	81 $\frac{3}{4}$	—	—	—	—	—	—	—
51	82 $\frac{1}{2}$	81	—	—	—	—	—	—
52	83	81 $\frac{3}{4}$	80 $\frac{1}{4}$	—	—	—	—	—
53	83 $\frac{3}{4}$	82 $\frac{1}{2}$	81	79 $\frac{1}{2}$	—	—	—	—
54	84 $\frac{1}{2}$	83 $\frac{1}{4}$	81 $\frac{3}{4}$	80 $\frac{1}{2}$	78 $\frac{3}{4}$	—	—	—
55	85 $\frac{1}{4}$	84	82 $\frac{3}{4}$	81 $\frac{1}{4}$	79 $\frac{3}{4}$	78	—	—
56	86	84 $\frac{3}{4}$	83 $\frac{1}{2}$	82 $\frac{1}{4}$	80 $\frac{3}{4}$	79	77 $\frac{1}{4}$	—
57	86 $\frac{3}{4}$	85 $\frac{1}{2}$	84 $\frac{1}{4}$	83	81 $\frac{1}{2}$	80	78 $\frac{1}{4}$	76 $\frac{1}{2}$
58	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85	83 $\frac{3}{4}$	82 $\frac{1}{2}$	81	79 $\frac{1}{4}$	77 $\frac{1}{2}$
59	88	87	85 $\frac{3}{4}$	84 $\frac{1}{2}$	83 $\frac{1}{4}$	81 $\frac{3}{4}$	80 $\frac{1}{4}$	78 $\frac{1}{2}$
60	88 $\frac{3}{4}$	87 $\frac{3}{4}$	86 $\frac{1}{2}$	85 $\frac{1}{2}$	84 $\frac{1}{4}$	82 $\frac{3}{4}$	81 $\frac{1}{4}$	79 $\frac{3}{4}$
61	89 $\frac{1}{2}$	88 $\frac{1}{2}$	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85	83 $\frac{3}{4}$	82 $\frac{1}{4}$	80 $\frac{3}{4}$
62	90 $\frac{1}{4}$	89 $\frac{1}{4}$	88 $\frac{1}{4}$	87 $\frac{1}{4}$	85 $\frac{3}{4}$	84 $\frac{1}{2}$	83 $\frac{1}{4}$	81 $\frac{3}{4}$
63	90 $\frac{3}{4}$	90	89	88	86 $\frac{3}{4}$	85 $\frac{1}{2}$	84 $\frac{1}{4}$	83
64	91 $\frac{1}{4}$	90 $\frac{1}{2}$	89 $\frac{3}{4}$	88 $\frac{3}{4}$	87 $\frac{3}{4}$	86 $\frac{1}{2}$	85 $\frac{1}{4}$	84
65	91 $\frac{3}{4}$	91	90 $\frac{1}{4}$	89 $\frac{1}{2}$	88 $\frac{1}{2}$	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85
66	92 $\frac{1}{4}$	91 $\frac{1}{2}$	91	90 $\frac{1}{4}$	89 $\frac{1}{4}$	88 $\frac{1}{4}$	87 $\frac{1}{4}$	86
67	92 $\frac{1}{2}$	92	91 $\frac{1}{2}$	90 $\frac{3}{4}$	90	89	88	87

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