



## CHAPTER ii.

An Act to provide for a superannuation fund for certain of the salaried staff of the Great Western Railway Company in substitution for the Great Western Railway Superannuation Scheme established under the provisions of the Great Western Railway (Superannuation Scheme) Act 1908 and for other purposes.

[22nd May 1941.]

**W**HEREAS by the Great Western Railway (Superannuation Scheme) Act 1908 the Great Western Railway Superannuation Scheme (in this Act referred to as "the existing fund") was established for the benefit of certain of the salaried staff of the Great Western Railway Company (in this Act referred to as "the Company"):

8 Edw. 7  
c. v.

And whereas it is expedient that provision should be made as in this Act set forth for the establishment of a new fund (in this Act referred to as "the fund") for the superannuation of the salaried staff of the Company as in this Act provided:

And whereas it is expedient that the existing fund should be closed that the assets thereof should be transferred to the fund that any outstanding or continuing liabilities of or to the existing fund should become liabilities of or to the fund and that the rules of the fund as in this Act defined should have effect in lieu of and in substitution for the rules of the existing fund and that the Great Western Railway (Superannuation Scheme) Act 1908 should be repealed:

And whereas other superannuation funds and societies have been established for the benefit of certain of the staff of the Company:

And whereas the staff of the Company includes salaried staff not at present members of the existing fund and grades

known as "clerks (weekly paid)" "female clerks" and analogous grades of the female staff "supervisory staff (weekly paid)" and "technical staff (weekly paid)" many of whom are members of one or more of the said other superannuation funds and societies:

And whereas it is expedient that provision should be made as in this Act contained for membership of the fund to be extended to all or any of such staff who are members of or who may be appointed to the salaried staff and for the transfer to the fund of the assets and liabilities of those funds and for the closing of those funds and the determination of any trusts constituted in connection therewith and for the transfer to the fund of so much of the assets and liabilities of those societies as may by agreement with those societies be determined to be equitable:

And whereas it is expedient that the other provisions contained in this Act should be made:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

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 (that is to say):—

Short title.

1. This Act may be cited for all purposes as the Great Western Railway (Superannuation Fund) Act 1941.

Inter-pretation.

2. In this Act the following expressions have the meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such construction:—

"The Company" means the Great Western Railway Company;

"The Act of 1908" means the Great Western Railway (Superannuation Scheme) Act 1908;

"The existing fund" means the Great Western Railway Superannuation Scheme established by the Act of 1908;

"The remaining pension funds" means the Great Western Railway Salaried Staff Retiring Allowances Fund the Great Western Railway Salaried Staff Supplemental Pension Fund the Great Western Railway Inspectors' and Foremen's Special Pension Fund and the Great Western Railway Female Clerks' Pension Fund;

“ The societies ” means the Great Western Railway Pension Society and the Great Western Railway Enginemen and Firemen’s Mutual Assurance Sick and Superannuation Society;

“ The fund ” means the new Great Western Railway Superannuation Fund by this Act established;

“ The rules ” means the rules set out in the schedule to this Act or as the same may be altered from time to time as provided by the rules;

“ The committee ” means the committee as defined in the rules;

“ Salaried staff ” means salaried staff as defined in the rules.

3. There shall be established as on the first day of July one thousand nine hundred and forty-one a superannuation fund to be called the Great Western Railway Superannuation Fund for the salaried staff and on and from the said date—

Establishment of superannuation fund.

(a) the existing fund shall be closed;

(b) any outstanding or continuing liabilities of or to the existing fund shall become liabilities of or to the fund;

(c) the rules shall have effect in lieu of and in substitution for the rules of the existing fund.

4. The rules shall be the rules of the fund and shall be binding upon the members of the fund.

Rules of fund.

5.—(1) There shall be carried to a special account in the books of the Company to be called “ the Great Western Railway Superannuation Fund Account ”—

Formation maintenance and application of fund.

(a) the moneys standing in the books of the Company as at the first day of July one thousand nine hundred and forty-one to the credit of the account called “ the Great Western Railway Superannuation Scheme Account ” established under section 4 of the Act of 1908; and

(b) the moneys standing in the books of the Company as at the first day of July one thousand nine hundred and forty-one to the credit of the account called “ the Reserve for Superannuation Liabilities Account ” established under section 5 of the Act of 1908;

and the said moneys shall together with all future moneys of and additions to the fund under the rules of this Act be held by the Company in irrevocable trust for the purpose of meeting the obligations of the fund.

(2) All moneys of the fund shall be a charge upon the general undertaking of the Company and the amounts from time to time standing to the credit of the fund shall be deemed to be a loan to the Company and may be applied by the Company to the purposes of this Act and any other Act to be carried into effect by the Company and to the general purposes of their undertaking being in every case purposes to which capital is properly applicable and the Company shall in each half-year ending on the thirtieth day of June and the thirty-first day of December in every year carry to the credit of the Great Western Railway Superannuation Fund Account interest at the rate of four pounds per centum per annum upon the amount from time to time standing to the credit of the said account.

Guarantee by  
Company of  
solvency of  
fund.

6.—(1) As from the date of the first valuation of the fund in accordance with the rules the Company shall pay into the fund either in a lump sum or (at their option) by periodical payments over a period not exceeding sixty years from the date of the certificate such sums as may from time to time be certified by the actuary appointed under the rules to be required for securing the solvency of the fund.

(2) In respect of the period between the first day of July one thousand nine hundred and forty-one and the date of the said first valuation the Company shall pay into the fund (either by way of a lump sum or at their option by periodical payments) such sums as in their opinion after consultation with the said actuary would have been payable under the foregoing subsection if the fund had been valued as on the first day of July one thousand nine hundred and forty-one.

Payments to  
be made as  
working  
expenses.

7. All amounts or sums of money which the Company are by this Act or the rules required or authorised to pay or provide shall be charged to and paid or provided out of the gross revenue of their undertaking as part of the working expenses in the year in which the amounts or sums are so paid or provided.

Existing  
super-  
annuation  
allowances  
charged on  
fund.

8. All superannuation allowances which immediately prior to the first day of July one thousand nine hundred and forty-one formed a charge upon or were payable out of the existing fund shall (undiminished in amount but subject to the conditions attaching thereto) form a charge upon and be payable out of the fund.

Extension of  
membership.

9. The Committee shall have power to admit to membership of the fund members of any of the remaining pension funds and the societies (who are or may become members of the salaried staff) as and when the directors of the Company may decide on such terms and subject to such conditions as

may be agreed between the Company the committee and the members of such fund or society Upon the admission to membership, of the fund of all the members of any of the remaining pension funds that fund shall be closed and the trust constituted in connection therewith shall be deemed to be determined notwithstanding anything contained in the rules of that fund and any assets and any outstanding or continuing liabilities of or to that fund shall become assets and liabilities of or to the fund.

10. The Company may grant and make such pension or other allowance or payment to any member of their staff during old age or sickness or otherwise as the directors of the Company may from time to time think fit and whether or not such member is in receipt of any benefit from the fund.

Company may  
make other  
payments.

11. Notwithstanding anything contained in the Railways Act 1921 or in any scheme relating to the Company made thereunder no officer or servant of the Company shall be entitled to claim or to be paid compensation for any pecuniary loss which he may suffer by the operation of the provisions of this Act in relation to his rights or liabilities as respects superannuation pension or other similar benefits.

As to claims  
under the  
Railways  
Act 1921.

12. The Great Western Railway (Superannuation Scheme) Act 1908 is hereby repealed as on the first day of July one thousand nine hundred and forty-one.

Repeal.

13. All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

Costs of Act.

The SCHEDULE referred to in the foregoing Act.

**GREAT WESTERN RAILWAY  
SUPERANNUATION FUND.**

**RULES.**

**PRELIMINARY.**

**Interpretation.**

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

“ The Act ” means the Great Western Railway (Superannuation Fund) Act 1941;

“ The rules ” means these rules or as the same may be altered from time to time by resolution in accordance with rule 77 hereof;

“ The fund ” means the Great Western Railway Superannuation Fund established by the Act;

“ The Company ” means the Great Western Railway Company;

“ The directors ” means the board of directors from time to time of the Company;

“ The service ” means the service of the Company or of any company whose undertaking now forms part of the undertaking of the Company;

“ Salaried staff ” means persons appointed to the salaried staff whose names are included in the register of salaried staff kept by the Company and who are remunerated at a salary fixed at a rate per annum;

“ Salary ” means in relation to a member of the staff remunerated at a salary fixed at a rate per annum the salary so fixed together with such amounts as may be allowed under rule 8;

“ Existing fund ” means the Great Western Railway Superannuation Scheme established by the Great Western Railway (Superannuation Scheme) Act 1908;

“ Existing superannuation allowance ” has the meaning assigned to it by rule 13;

“ Member ” in relation to the fund means a person from time to time contributing to the fund but does not include a recipient from the fund;

“ Relative ” in reference to a member includes relations by marriage and persons related to the member either illegitimately or by adoption;

“ The committee ” means the committee from time to time appointed under the rules;

“ The members’ committeemen ” means the members of the committee from time to time elected by the members;

“ The directors’ committeemen ” means the members of the committee from time to time appointed by the directors;

“ Members’ auditor ” means the auditor from time to time elected by the members;

“ Directors’ auditor ” means the auditor from time to time appointed by the directors;

“ The auditors ” and “ the secretary ” mean such officers as from time to time are elected or appointed under the rules as auditors and secretary respectively;

“ The actuary ” means the actuary or actuaries from time to time appointed as provided by the rules;

“ Medical officer ” means one of the medical officers of the Company or a medical officer appointed by the committee;

“ Annual meeting ” means the annual general meeting of the members duly convened and constituted and any adjournment thereof;

“ Extraordinary meeting ” means an extraordinary general meeting of the members duly convened and constituted and any adjournment thereof;

“ General meeting ” means an annual meeting or an extraordinary meeting;

“ Month ” means calendar month;

Words in the singular include the plural;

Words in the plural include the singular.

(2) In the rules unless the subject or context otherwise requires—

(a) any reference to a member’s contributions to the fund shall be construed as including a reference to the member’s contributions to the existing fund and to any sum (other than a payment in the nature of interest) paid by the member under any provision of the rules relating to added years of membership; and

(b) any reference to a member’s years or period of membership of the fund shall be construed as a reference to the years during which he has continuously been a member of the existing fund and the fund and in addition the added years (if any) during which he is deemed to have been a member of the fund.

#### CONSTITUTION.

2. The fund shall comprise—

(a) The moneys mentioned in section 5 of the Act;

(b) Contributions of the members made under the rules;

(c) Contributions of and payments by the Company to the fund made under the rules or the Act;

(d) All other moneys of and additions to the fund.

Assets  
constituting  
fund.

## MEMBERSHIP.

Membership  
of fund.

3.—(1) Every member of the salaried staff who was immediately before the 1st July 1941 a contributing member of the existing fund shall become on the 1st July 1941 a member of the fund.

(2) Every person appointed to the salaried staff on or after the 1st July 1941 whose age at the date of such appointment does not exceed 40 years shall become a member of the fund on the date of such appointment. Provided that no person who remains a member of any superannuation or pension fund or society to which the Company directly or indirectly contribute on behalf of such person or to whom they are or may hereafter be under obligation to grant any pension allowance shall be eligible for membership of the fund.

Joint staff.

4. Subject to the provisions of the rules the committee may with the assent of the Company admit to membership of the fund any member of the salaried staff whose age does not exceed 40 years and who may be employed upon any railway leased to or worked by the Company either solely or jointly or owned by the Company jointly and whose salary is paid by the Company either solely or jointly.

## SPECIAL CONDITIONS.

Added years of  
membership.

5.—(1) In the case of any member of the salaried staff who has been or may hereafter be appointed on account of professional or other special qualifications whose age on appointment did not or does not exceed 40 years including a member of the salaried staff transferred from the wages staff such number of years (not exceeding ten) as the member at his option may determine shall be added to his years of membership of the fund provided that notice in writing to this effect is received from the member by the secretary before 1st October 1941 in the case of members of the existing fund or within three months of the date of appointment in the case of persons appointed to the salaried staff on or after 1st July 1941:

Provided further that no such option shall be exerciseable in respect of any year or years during which such member has not been in the service except with the approval of the directors.

(2) Any member who exercises the option referred to in the preceding paragraph shall contribute to the fund at the rate of contribution applicable under the rules to his actual age on appointment to the salaried staff and he shall pay contributions at that rate together with compound interest thereon at the rate of 4.5 per centum per annum with annual rests in respect of the period of the added years such back contributions as aforesaid shall be based on the salary of that member at the date of his becoming a member of the fund and that salary shall for all the purposes of the rules be deemed to have been his salary during the added years.

(3) The Company shall contribute a like amount to the fund in respect of such member.



## CONTRIBUTIONS.

6. The contributions of a member shall be according to the scales set out below:—

Scales of members' contributions.

## MEMBERS OF EXISTING FUND.

Age in years at date of admission to existing fund.	Percentage of salary.
Less than 26	4
26 27	4½
28	4¾
29 30	5
31 32	5¼
33	5½
34	5¾
35	6
36 37	6¼
38	6½
39	6¾

Provided that the percentage of salary payable by any member shall not exceed by more than one the percentage of salary paid by such member to the existing fund.

## NEW ENTRANTS ON AND FROM 1ST JULY 1941.

Age in years at date of admission to fund.	Percentage of salary.
Less than 23	5
23 24 25	5¼
26 27 28	5½
29 30 31	5¾
32 33 34	6
35 36	6¼
37 38	6½
39	6¾

7.—(1) Any sum payable by a member in accordance with the rules shall accrue due at the like four-weekly or other intervals as are customary in relation to payment of his salary.

Deduction of contributions from salary.

(2) The Company when making payments of salary to a member may deduct the appropriate amount in respect of any sum due from the member as aforesaid:

8. For the purpose of ascertaining the amount of contributions of any member and of the Company in respect of such member his actual salary for the time being shall if the Company so decide and the committee concur be deemed to be the aggregate of—

Salary may include emoluments.

- (a) the amount of the registered salary of such member; and
- (b) such an amount as may be estimated by the general manager of the Company to be the value of any emoluments allowed to him;

and for the purpose of calculating benefits under these rules the salary of a member shall be the sum on which contributions have been based.

Contributions when salary suspended or reduced.

9. If the salary of any member shall be suspended or reduced he may with the assent of the Company and of the committee continue his contributions to the fund and remain entitled to the benefits thereof on the basis of his salary immediately before the suspension or reduction.

Change of grade.

10. A member who is transferred to a grade in which employees are not eligible for membership of the fund—

- (a) may remain a member with the assent of and on terms agreed by the Company the committee and the member;
- (b) failing such assent or agreement shall cease to be a member and shall be entitled to a return of his contributions as if rule 26 applied to him.

Contributions by Company.

11. The Company shall contribute half-yearly to the fund in respect of each half-year sums equal to the amounts contributed by the members in respect of that half-year and such other moneys (if any) as may be required in accordance with the provisions of the Act to secure the solvency of the fund.

#### BENEFITS.

Position of annuitants under existing fund.

12. Persons who immediately before the 1st July 1941 were recipients from the existing fund shall not be entitled to the benefits of the fund as prescribed by the rules but shall remain entitled to the benefits of the existing fund and subject to the conditions attaching to such benefits.

Option to members of existing fund.

13.—(1) Every member who was immediately before the 1st July 1941 contributing to the existing fund shall be entitled at his option to receive from the fund by way of superannuation allowance on retirement either—

- (a) the same superannuation allowance as that to which he would have become entitled under the rules of the existing fund if the Act had not been passed (hereafter in the rules referred to as the "existing superannuation allowance"); or
- (b) the superannuation allowance prescribed by the rules.

(2) If any such member desires to exercise the option under this rule to receive from the fund the existing superannuation allowance he shall notify his desire by sending to the secretary notice thereof on or before the date of his retirement or the 1st December 1941 (whichever is the earlier) and the notice shall take effect from the day it is received by the secretary.

(3) Failing the receipt of any such notice as aforesaid the said option shall cease to be exercisable and the member shall on retirement be entitled to the superannuation allowance prescribed by the rules.

14.—(1) Subject to any option which may be exercised under rule 13 every member who attains the age of 60 years shall on leaving the service cease to be a member of the fund and shall be entitled to receive from the fund by way of superannuation allowance a capital sum and an annuity for life.

Scale of  
superannuation  
allowances.

(2) The said capital sum shall be a sum equal to  $\frac{1}{40}$ th part of the salary of which the member was in receipt at the date of his retirement multiplied by the number of completed years not exceeding 40 during which he has been a member of the fund.

(3) The said annuity shall be an annual sum equal to the aggregate of—

(a)  $\frac{1}{120}$ th part of the average salary of which the member has been in receipt throughout the whole period during which he has been a member of the fund multiplied by the number of completed years not exceeding 40 during which he has been a member of the fund; and

(b)  $\frac{1}{120}$ th part of the average salary of which he has been in receipt during the period of 7 years immediately prior to the date of his retirement from the service multiplied by the number of completed years not exceeding 40 during which he has been a member of the fund:

Provided that for the purposes of the foregoing paragraph (a) if the member has been a member of the fund for more than 40 years the calculation of his average salary shall be based upon his salary for the last 40 years of his membership of the fund.

15.—(1) The regulations set forth in the appendix to the rules shall be deemed to form part of the rules.

Joint annuities.

(2) Subject to those regulations a member of the fund may with the assent of the committee elect that in lieu of the whole or part of the annuity to which he is entitled in accordance with the rules a joint annuity shall be paid out of the fund during the joint lives of the member and such a joint annuitant as is hereafter mentioned and the life of the survivor of them.

(3) The joint annuitants to whom this rule applies are—

(a) in the case of a member having a wife alive the member's wife;

(b) in the case of a member not having a wife alive one dependent relative who if younger than the member shall be not more than 15 years younger.

(4) Any question whether a person is a dependent relative of a member shall be decided by the committee who may require the member to furnish such evidence as they may think proper and their decision shall be final.

(5) If an annuitant dies after he has commenced to receive a joint annuity leaving a joint annuitant surviving him any sum (except any balance of joint annuity due to him) which but for this rule would be payable out of the fund upon his death shall be retained in the fund and upon the death of the joint annuitant there shall be deducted from any such sum the amount of the joint annuity received by the joint annuitant and the sum (if any) arrived at after such deduction shall be payable to the deceased annuitant's legal personal representative or if there be no such representative to the joint annuitant's legal personal representative in which case the joint annuitant shall be regarded as a deceased annuitant for the purposes of rule 25.

Joint annuities for members entitled to take existing allowances.

16. A member entitled to exercise the option referred to in paragraph (a) of sub-rule (1) of rule 13 may apply for a joint annuity under the provisions of the last foregoing rule and the appendix without specifying whether or not he intends to exercise that option and accordingly those provisions (subject to any necessary modifications) shall have effect in relation to existing superannuation allowances as they have effect in relation to the superannuation allowances prescribed by rule 14.

Incapacity after 10 years' membership.

17.—(1) Any member—

- (a) who having been a member of the fund for ten years or upwards retires from the service before attaining the age of sixty years in consequence of incapacity to perform his duties arising from accident or mental or physical infirmity not resulting from his own misconduct and who satisfies the committee with regard to such incapacity by production of a certificate from the medical officer or otherwise; or
- (b) who having attained fifty-five years of age but not being sixty years of age retires after having satisfied the directors by medical or such other testimony as they may deem sufficient that he is in such a condition of health as to be no longer competent to perform the duties of his position and for whom no other suitable position can be found; or
- (c) who having attained fifty years of age but not being sixty years of age and who after the expiration of thirty years' service is removed by the directors from the service or is required by them to resign for any reason other than fraud dishonesty or intemperance on his part;

shall (unless in exercising the option given to him by rule 13 he elects to receive the existing superannuation allowance) be entitled on such retirement or removal to a capital sum and to an annuity for life calculated in accordance with rule 14 but on the basis of the number of years during which he has then been a member:

Provided that such annuity shall in no case be less than the appropriate amount shewn in the following table:—

Completed years of membership.	Amount.
26 or over	£ 100
25	97
24	94
23	91
22	88
21	85
20	82
19	79
18	76
17	74
16	72
10 but less than 16	70

A member applying for superannuation under the foregoing paragraphs (b) or (c) shall furnish the committee with a certificate under the hand of the secretary of the Company that the conditions entitling him to superannuation under those paragraphs respectively have been complied with.

(2) While any person to whom an allowance has been granted under paragraph (a) of the foregoing sub-rule is under the age of 60 years—

- (a) the committee may at any time require him to furnish such evidence as they shall deem satisfactory of his continued incapacity and of the amount of his earnings (if any) and if he shall not furnish such evidence they may vary suspend or revoke his annuity;
- (b) if he recovers sufficiently to be able to earn an income the committee may from time to time vary suspend or revoke his annuity as they may think the circumstances justify; and
- (c) if he recovers sufficiently to return and does return to the service the committee may deal with his case in such manner as they shall deem just and reasonable taking all the circumstances into consideration.

(3) If a person's annuity has been varied suspended or revoked under paragraphs (a) or (b) of the foregoing sub-rule he shall on attaining the age of 60 years be entitled to an annuity for life calculated according to this rule whether his incapacity continues or not and whether or not he is earning an income.

18.—(1) Any member who having been a member of the fund for less than 10 years retires from the service in consequence of incapacity to perform his duties arising from accident or mental or physical infirmity not resulting from his own misconduct and who satisfies the committee with regard to such incapacity by production of a certificate from the medical officer or otherwise shall be entitled on such retirement to receive from the fund an annuity for life of twenty pounds per annum and shall have no further claim upon the fund.

Incapacity  
before 10 years'  
membership.

(2) While any such person is under the age of 60 years—

- (a) the committee may at any time require him to furnish such evidence as they shall deem satisfactory of his continued incapacity and of the amount of his earnings (if any) and if he shall not furnish such evidence they may vary suspend or revoke his annuity;
- (b) if he recovers sufficiently to be able to earn an income the committee may from time to time vary suspend or revoke his annuity as they may think the circumstances justify; and
- (c) if he recovers sufficiently to return and does return to the service the committee may deal with his case in such manner as they shall deem just and reasonable taking all the circumstances into consideration.

(3) If a person's annuity has been varied suspended or revoked under paragraphs (a) or (b) of the foregoing sub-rule he shall on attaining the age of 60 years be entitled to the said annuity for life of twenty pounds per annum whether his incapacity continues or not and whether or not he is earning an income.

Minimum  
annuity.

19. Except as provided by rules 15 to 18 inclusive and except in the case of a member electing to receive the existing superannuation allowance under paragraph (a) of sub-rule (1) of rule 13 an annuity shall not be less than the appropriate amount shewn in the following table:—

Completed years of membership.	Salary at date of retirement £200 per annum or over.	Salary at date of retirement under £200 per annum.
26 or over	£ 120	£ 100
25	116	98
24	112	96
23	108	94
22	104	92
21	100	90
20	96	88

Commutation  
of super-  
annuation  
allowances.

20.—(1) The committee may with the assent of the Company agree with a member on his retirement to commute the capital sum into a supplementary annuity or in exceptional cases and having regard to the state of health or other circumstances of the member to commute the whole or part of the annuity into a capital sum the basis for commutation in each case to be decided by the actuary.

(2) There shall be deducted from any capital sum paid under this rule an amount equal to any amount of income tax payable by the

fund in respect of that sum under or by virtue of section 32 of the Finance Act 1921 as amended by any subsequent enactment.

21. No member of or recipient from the fund shall without the consent of the Company and of the committee assign charge or otherwise alienate any benefits to which he is or may become entitled or may be receiving under the rules.

Benefits not assignable.

22. When a person who has become entitled under the rules to an annuity or other payment is unable by reason of accident or mental or physical infirmity to manage his affairs or to sign documents the committee may from time to time pay the annuity or make such other payment to his wife or other person having charge of him or to the committee of his estate or if the disabled person is in an institution may make such payment (if any) as they think fit to that institution for his maintenance and the balance (if any) to or for the support of the dependants of the disabled person and the committee the fund and the trustees of the fund shall be discharged from all liability in respect of any sums so paid.

Allowances and payments due to persons under disability.

23. If any member dies without having received a superannuation allowance there shall (subject to the provisions of regulation 5 (5) in the appendix) be paid out of the fund to his legal personal representative a sum equal to  $\frac{1}{30}$ th of his salary at the date of his death multiplied by the number of completed years during which he has been a member of the fund or a sum equal to one-half of such salary whichever may be the greater:

Death before superannuation.

Provided that the sum payable shall not be less—

(a) in the case of a member who was a contributor to the existing fund than twice the aggregate amount of his contributions to that fund prior to the 1st July 1941 plus—

(i) the total amount of his contributions to the fund since the 30th June 1941; and

(ii) a sum equal to 2.5 per centum upon the total amount of his salary throughout the period of his membership of the fund since the 30th June 1941; or

(b) in the case of any other member of the fund than a sum equal to—

(i) the total amount of his contributions to the fund; plus

(ii) 2.5 per centum upon the total amount of his salary throughout the period of his membership of the fund since the date of his actual admission thereto and for any further period represented by added years of membership.

24. If an annuitant dies without having received from the fund an amount equal to the sum which would have been payable under the last foregoing rule if he had died on the day before that on which he became an annuitant then subject to the provisions of sub-rule (5) of rule 15 there shall be paid to his legal personal representative an amount equal to the difference between the said sum and the total amount paid to the annuitant from the fund.

Death after superannuation

Payments  
in respect of  
deceased  
members and  
annuitants.

25.—(1) Where any sum is payable under the rules to the estate of a deceased member or annuitant the production to the committee of probate letters of administration or a confirmation granted by any court in the United Kingdom or Eire shall be sufficient authority to the committee and the trustees of the fund for the payment of that sum to the person to whom probate letters of administration or the confirmation (as the case may be) was or were granted:

Provided that no payment under this sub-rule shall be made on production of a confirmation that has not been sealed with the seal of the Principal Probate Registry in England unless the sum payable has been included in the inventory.

(2) If there is no legal personal representative of a deceased member or annuitant and if any sum payable under the rules does not exceed one hundred pounds the committee may in their discretion pay that sum to his widow or child or other next of kin or any of them without requiring a representative to be legally constituted and neither the committee nor the fund nor the trustees of the fund shall be liable to make any further payment to any claimant in respect of the deceased member or annuitant.

(3) Before paying any sum under this rule to any person other than the legal personal representative of the deceased member or annuitant the committee shall require either—

(a) a statutory declaration by that person to the effect that the total net estate of the deceased member or annuitant (including the sum to be paid as aforesaid but after deduction of debts and funeral expenses) does not exceed one hundred pounds; or

(b) the production of a certificate from the Commissioners of Inland Revenue to the effect either that no death duties are payable in respect of the said sum or that any duties so payable have been paid.

Resignation  
or dismissal.

26.—(1) Any member who before becoming entitled to a superannuation allowance under the rules retires from the service voluntarily or is dismissed from the service shall cease to be a member and shall be entitled to receive from the fund the whole amount of his own contributions without interest and shall have no further claim upon the fund:

Provided that in the case of any member dismissed from the service for dishonesty or fraud the Company shall have a lien upon the amount of his contributions for any sums which may be due from him to the Company and subject to that lien the committee may in their discretion pay the contributions or the balance thereof in whole or in part to his dependants or such other person as they may determine in lieu of payment to the member and any such payment shall be deemed to be a payment to the member who shall have no claim in consequence thereof against the committee or the fund or the trustees of the fund.

(2) There shall be deducted from any payment made under this rule an amount equal to any amount of income tax payable by the fund in respect of that payment under or by virtue of section 32 of the Finance Act 1921 as amended by any subsequent enactment.



27. All annuities shall as the annuitant may elect be payable monthly or three monthly on the last day of each month or of each three monthly period as the case may be an apportioned payment being made for any broken period.

Dates of  
payment of  
annuities.

28. Save as prescribed by the rules no member shall have any claim upon the fund.

Claims of  
members on  
fund.

#### GENERAL.

29. Every member of the salaried staff who becomes a member of the fund shall so long as he remains in the service as a member of the salaried staff continue to be a member of the fund and shall be bound in all respects by the rules.

Membership  
to continue  
during service.

30. A member of the salaried staff who fails to pass a medical examination to the satisfaction of the committee shall not be admitted to membership of the fund:

Medical  
examination.

Provided that—

(a) members of the existing fund shall not be required to pass a medical examination before being admitted to membership of the fund; and

(b) the committee may with the assent of the Company dispense with a medical examination in the case of any person who has previously been required to pass a medical examination by a medical officer of the Company.

#### TRUSTEES.

31. The trustees of the fund shall be the Company.

Trustees.

#### COMMITTEE.

32. Subject to the provisions of the rules the management and direction of the fund shall be vested in a committee of twelve persons (of whom six shall be directors' committeemen and six members' committeemen) who shall be appointed or elected as hereinafter provided.

Composition  
of committee.

33. The directors' committeemen shall from time to time be appointed by the directors.

Appointment of  
directors'  
committeemen.

34. Until the election of the members' committeemen the following twelve persons (namely) Francis Robert Edward Davis Cyril Russell Dashwood Alexander Maynard Gilbert Matthews Hervey Adams Clarke and Harold Whiteside Gardner to constitute the directors' committeemen and Jerrold Adshead John William Belcher James Graham Percival Morris William Robert Robins and Frederick Lionel Tonge to constitute the members' committeemen shall act as a provisional committee of the fund and shall exercise and perform the powers and duties of the committee under the rules and the provisions of the rules relating to the committee and to committeemen shall with the necessary modifications have effect in relation to the provisional committee and to the persons aforesaid.

Provisional  
committee.

Election of  
members'  
committeemen.

35. The members' committeemen shall be elected by the members in accordance with the following regulations:—

- (a) The qualification of a members' committeeman shall be that he is a member not less than 21 years of age;
- (b) The election shall take place at the annual meeting in the year 1942 and at the annual meeting in every succeeding third year;
- (c)
  - (i) The secretary shall give notice of the election by means of notices conspicuously exhibited on the premises of the Company inviting the nomination of candidates;
  - (ii) Each nomination shall (except in the case of a retiring members' committeeman who offers himself for re-election) be signed by at least 20 members;
  - (iii) A retiring members' committeeman who offers himself for re-election and consents in writing to act shall be deemed to be duly nominated without further formality;
  - (iv) The names of the candidates nominated together with their consents in writing to act shall be forwarded to the secretary so as to reach him within the first 10 days of March in the year 1942 and in each succeeding third year;
  - (v) The names of all candidates duly nominated shall be announced in the annual report and accounts to be forwarded to the members in accordance with rule 47;
- (d) If 6 candidates and no more are nominated those candidates shall be deemed to be duly elected without further formality;
- (e) If more than 6 candidates are nominated the election of the members' committeemen or if less than 6 candidates are nominated the appointment of the requisite number of candidates to complete the number of the members' committeemen shall take place at the annual meeting;
- (f) The election shall in the first instance be decided by the vote of a majority of the members present at the meeting by a show of hands;
- (g) If a poll be demanded by 30 or more members present at the meeting or by one-half of the members so present the election shall be decided by ballot as follows:—
  - (i) Two scrutineers shall be appointed by the members present at the meeting;
  - (ii) The secretary shall within 21 days after the meeting issue a voting paper to each member and make all necessary arrangements for the ballot;
  - (iii) A voting paper sent addressed to a member at the office station or place where he is employed by the Company shall be deemed to have been duly received by him and a mistake in sending or not sending a voting paper shall not invalidate the election;
- (h) The voting papers shall not disclose the identity of the voter but shall bear a number by which if necessary upon a

scrutiny the voter may be identified and shall contain the following particulars:—

- (i) The names in alphabetical order of the candidates;
- (ii) The date of issue and a notice that the vote will not be counted unless the voting paper be received by the secretary within 20 days after that date;
- (i) The voting paper shall be returned to the secretary in an envelope provided for the purpose marked "Voting paper" so as to reach him within 20 days of the date of issue;
- (j) Each member may vote for one or more of the candidates not exceeding the number to be elected and shall do so by placing a X against the name of each candidate for whom he desires to vote. The Secretary shall in the presence of one or both of the scrutineers count the votes given for each of the several candidates and the candidates who receive the greatest number of votes shall be deemed to have been duly elected and the result of the voting certified by the scrutineers or either of them shall be announced by the secretary in such manner as the committee may determine within 8 weeks of the date of the meeting at which the poll was demanded. The voting papers shall be retained for 6 calendar months after the last day for the receipt of voting papers by the secretary when they shall be destroyed;
- (k) Between the annual meeting and the declaration of the result of the ballot demanded at the meeting the members' committeemen who were in office immediately before the meeting shall remain in office;
- (l) In the event of a casual vacancy occurring in the office of members' committeeman by death resignation or otherwise the vacancy shall be filled by a person co-opted by the other members' committeemen and the committee shall advise members of the appointment in such manner as the committee may decide. The person so co-opted shall retain his office until the next election but he shall then be eligible for re-election;
- (m) Each of the members' committeemen shall remain in office until he dies or resigns (which resignation may be effected by him on giving 21 days' notice thereof in writing to the secretary) or ceases to be a member of the fund or until some other person is elected in his stead under the rules.

36. The chairman of the committee shall be one of the directors' committeemen.

Chairman of committee.

37. The procedure of the committee shall except as provided by the rules be regulated from time to time by the committee.

Procedure of committee.

38. Except as otherwise provided by the rules the committee shall decide on all claims made upon the fund under the rules and their decision shall be final.

Claims on fund.

Decision on questions of fact.

39. Whenever it is necessary for the committee to decide a question of fact they may act upon such proofs and presumptions as they shall deem satisfactory whether the same be legally admissible as evidence or not and their decision shall be final.

Quorum.

40. Four members of the committee (of whom two shall be directors' committeemen and two members' committeemen) shall constitute a quorum and no business (except the adjournment of a meeting) shall be transacted at any meeting of the committee unless a quorum is present when the committee proceeds to business.

Decisions of committee.

41. The decision of the majority of the committee present at a meeting of the committee shall be deemed to be the decision of the committee. The chairman of the committee shall in case of equal division have a second or casting vote.

Committee may act notwithstanding vacancy.

42. The committee may exercise its powers during and notwithstanding any casual vacancy in its body.

#### GENERAL MEETINGS.

Annual meeting.

43. An annual meeting shall be held not later than the month of June in every year at such time and place as the committee shall from time to time appoint for the purpose of receiving the annual report and accounts and for the conduct of the general business of the fund. The first annual meeting shall be held not later than the month of June 1942.

Notice of resolution.

44. Any member desiring to move a resolution at the annual meeting relating to the affairs or administration of the fund shall prior to the 31st day of March next before the date of the meeting give to the secretary notice in writing signed by the member and setting forth the proposed resolution.

Extraordinary meeting.

45. An extraordinary meeting may from time to time be convened by the committee and shall be convened on a requisition (stating the purpose for which the meeting is desired) to the secretary signed by at least 50 members. An extraordinary meeting shall be held at such place and time as the committee shall appoint.

Notice convening extraordinary meeting.

46. The notice convening an extraordinary meeting shall specify the business to be transacted and no business not so specified shall be transacted thereat.

Notice of meetings and circulation of report and accounts.

47.—(1) The committee when convening any general meeting shall give not less than 7 nor more than 15 days' notice by advertisement or otherwise as the committee may determine of the date place and hour appointed for the meeting.

(2) Not less than 7 nor more than 15 days before the date appointed for an annual meeting there shall be sent to every member a copy of the annual report and accounts of the fund and of any special report made by the auditors under rule 74.

(3) The non-receipt by a member of a notice or of a copy of the said reports and accounts shall not invalidate the proceedings at any meeting.

48. The chairman of every general meeting shall be the chairman of the committee or a directors' committeeman.

Chairman of  
general  
meeting.

49. Twenty members shall form a quorum at a general meeting and no business (except the adjournment of the meeting) shall be transacted at any such meeting unless a quorum is present when the meeting proceeds to business.

Quorum at  
general meeting.

50. If within half an hour from the time appointed for the holding of a general meeting a quorum is not present the meeting shall stand adjourned to the same day in the next week at the same time and place and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for holding the meeting the members then present shall form a quorum.

Adjournment  
of meetings in  
absence of  
quorum.

51.—(1) Each member present at a general meeting shall have one vote and no person other than a member shall vote thereat:

Voting at  
general  
meetings.

Provided that a directors' committeeman shall be entitled to be present and vote and otherwise to act at a general meeting as if he were a member and in case of an equality of votes the chairman shall have an additional or casting vote.

(2) A member who is present at a general meeting and is proxy for any other member shall in the event of a poll being demanded and taken have in addition to his own vote one vote for each member for whom he is proxy.

52. Every resolution moved at a general meeting shall be decided in the first instance by a show of hands of the members present and unless a poll be demanded by at least 30 members present or by one-half of the members present a resolution declared by the chairman to have been carried shall be deemed to be the resolution of the meeting.

Resolutions  
at general  
meetings.

53. If a poll be taken it shall be taken by open voting or if 30 or more members or one-half of the members present so desire by secret voting. The chairman may adjourn the meeting for a reasonable time for the purpose of taking the poll and the result of the poll shall be deemed to be the decision of the meeting at which the poll was demanded and shall be binding on the members.

Poll how to be  
taken.

54. A member may appoint any other member as his proxy for voting at a general meeting where a poll is demanded and taken. Such an appointment shall be made by an instrument of proxy in the form hereinafter provided or to the like effect and shall be signed by the member appointing the proxy and shall be left with the secretary or at his office at least 48 hours before the time appointed for holding the meeting therein specified and shall be available only for that meeting and any adjournment thereof.

Proxies.

55. The following shall be the form of an instrument of proxy:—

Form of proxy.

" I \_\_\_\_\_ a member of the Great Western Railway  
Superannuation Fund hereby appoint  
\_\_\_\_\_ of \_\_\_\_\_ another member of the fund to  
act as my proxy at the general meeting to be held on  
the \_\_\_\_\_ day of \_\_\_\_\_ and at any adjourn-  
ment of that meeting.

As witness my hand this \_\_\_\_\_

day of \_\_\_\_\_

Revocation  
of proxy.

56. Every such instrument of proxy shall be valid until it be either revoked by a notice in writing under the hand of the appointing member and left with the secretary or at his office or by the attendance of the appointing member at the meeting for which the proxy was given.

Adjournment  
of general  
meetings.

57. The chairman of a general meeting at which a quorum is present may with the consent of the majority of the members present thereat adjourn the meeting to any hour of the same or a later day. Whenever a meeting is adjourned for 10 days or more notice of the adjourned meeting shall be given in the same manner as of an original meeting but save as aforesaid a member shall not be entitled to any notice of an adjournment or of the business to be transacted at an adjourned meeting. No business shall be transacted at an adjourned meeting other than business which might have been transacted at the meeting from which the adjournment took place.

Declaration of  
chairman  
conclusive.

58. The declaration by the chairman of a general meeting that a resolution has been carried or carried by a particular majority or lost shall be conclusive.

Minutes of  
general  
meeting.

59. Minutes of the proceedings of every general meeting shall be recorded by the secretary in a book to be kept for that purpose and the minutes shall be signed within 14 days of the meeting by the chairman of the meeting or him failing by any three members of the committee present thereat and the minutes when so recorded and signed shall in the absence of proof of error therein be conclusive evidence of the proceedings.

Powers of  
general  
meeting.

60. The members in general meeting shall have no powers except such as are conferred upon them expressly or by implication by the rules.

#### OFFICERS.

##### (A) Secretary.

Appointment of  
secretary.

61. The committee shall from time to time appoint subject to the assent of the directors one of the staff of the Company to be the secretary of the fund and the committee may from time to time with the like assent remove the person so appointed and appoint some other member of the staff of the Company in his stead.

Remuneration  
of secretary.

62. The remuneration of the secretary and any other person appointed by the directors to perform services in connection with the fund shall be determined by the directors and the said remuneration and any office expenses shall be paid by the Company.

Duties of  
secretary.

63. The secretary shall—

- (a) keep the records books and papers relating to the fund and the business thereof;
- (b) receive and report to the committee all applications for membership of the fund and for allowances or payments out of the fund resignations and other matters to be brought under the consideration of the committee;
- (c) give notice of all general meetings convened by the committee;

(d) record the minutes of the proceedings of all general meetings and of all meetings of the committee and the attendances of the members of the committee;

(e) perform such other duties in connection with the fund as the committee may from time to time direct.

64. The committee may at any time appoint subject to the assent of the Company a temporary substitute for the secretary.

Temporary substitute for secretary.

(B) *Auditors.*

65. There shall be two auditors one of whom shall be called the directors' auditor and the other the members' auditor and until the date of the holding of the first annual meeting the committee may with the assent of the directors appoint two persons to act as auditors of the fund.

Auditors.

66. The directors' auditor shall be appointed by the directors to hold office so long as they shall from time to time resolve.

Directors' auditor.

67. The members' auditor shall be a member and shall be nominated and elected and hold office in the same manner and in accordance with the same regulations so far as applicable as the members' committeemen.

Members' auditor.

68. In the event of a casual vacancy occurring in the office of members' auditor by reason of the auditor dying resigning being removed from office ceasing to be a member or otherwise the vacancy shall be filled by a duly qualified person to be appointed by the members' committeemen at a meeting specially convened for that purpose and the person so appointed shall hold office for the same period as that for which his predecessor would have held office.

Vacancy in office of members' auditor.

(C) *Actuary.*

69. The committee with the assent of the directors shall appoint an actuary or actuaries being a Fellow or Fellows of the Institute of Actuaries or of the Faculty of Actuaries who shall make an investigation of the financial position of the fund as at the 31st December 1945 and thereafter at intervals of 5 years or such less interval as the committee with the assent of the directors shall determine and shall report thereon to the directors who shall furnish a copy of such report to the committee.

Actuary.

ACCOUNTS AND AUDIT.

70. The committee shall cause to be kept full and true accounts of the fund and of all sums of money expended under the rules by the committee and by all persons employed under them and shall cause to be kept full and complete records of all matters necessary or proper to be recorded.

Accounts to be kept.

71. The committee may in their discretion on the written request of a member authorise the inspection by him of the records of the fund.

Inspection of records.

Books of fund and balance sheet.

72. The books of the fund shall be balanced as at the 31st December in each year and a balance sheet shall forthwith be made up which shall exhibit a true statement of the fund and the debts (if any) due and payable thereout as at that date. The books shall be first balanced as at the 31st December 1941.

Accounts to be delivered to auditors.

73. The committee shall deliver to the auditors the accounts for the year ending the 31st December preceding the annual meeting at least 4 weeks before the day appointed for the meeting together with all vouchers therefor and the committee and the secretary shall give to the auditors all assistance and information in their power.

Duty of auditors.

74. The auditors shall receive and examine the said accounts and they shall either make a special report thereon or confirm them and the report or confirmation shall be made and given to the committee 14 days at least before the day appointed for the annual meeting.

Committee to produce accounts at annual meeting.

75. The committee shall cause the accounts and auditors' report to be produced to the members assembled at each annual meeting.

#### RULES.

Rules to be supplied to members.  
Alteration of rules.

76. A copy of the rules shall be supplied to every member.

77. The rules may be altered by a resolution of an extraordinary meeting duly convened for that purpose provided that the alteration be confirmed in the following manner (that is to say):—

1st. By a resolution of a second extraordinary meeting duly convened for that purpose and held not less than 2 weeks nor more than 3 months after the date of the first extraordinary meeting; and

2nd. By a resolution of the committee; and

3rd. By a resolution of the directors:

Provided that—

(a) no such alteration shall be made as would be inconsistent with the provisions of the Act or cause the main purpose of the fund to cease to be that of the provision of superannuation allowances for members of the salaried staff on retirement from the service; and

(b) no alteration shall be made of rule 20 (2) or rule 26 (2) without the consent of the Commissioners of Inland Revenue.

Evidence of alteration of rules.

78. The minutes of the resolutions passed in pursuance of rule 77 signed by the chairman of each such extraordinary meeting by the chairman of the committee and by the chairman or deputy chairman of the directors respectively shall be conclusive evidence that the provisions of that rule have been complied with.

Discontinuance of further admissions.

79. The right is reserved to the Company at any time in the discretion of the directors to cease to admit to the fund any further members on and after such date as the directors may previously notify.



## APPENDIX.

## REGULATIONS AS TO JOINT ANNUITIES.

1. The annuity (in these regulations referred to as the "normal annuity") payable in accordance with the rules to a member upon retirement may be converted—

Amount of joint annuities.

(a) in the case of a member and his wife into a joint annuity in accordance with the table and conditions set out in the next following regulation;

(b) in the case of a member and a dependent relative into a joint annuity of such amount or amounts as may be determined by the committee with the advice of the actuary.

2. In the case of a member and his wife a normal annuity may be converted into a joint annuity in accordance with the following table and conditions:—

Table of joint annuities in case of member and wife.

Age of wife (at last birthday) at date of member's retirement.	For each £100 of normal annuity the following annuity shall be payable to the retired member and so in proportion for any part of £100.					
	Age at last birthday of member at date of retirement.					
	60 years.	61 years.	62 years.	63 years.	64 years.	65 years.
Years.	£ s.	£ s.	£ s.	£ s.	£ s.	£ s.
45	84 0	—	—	—	—	—
46	84 6	83 8	—	—	—	—
47	84 14	83 16	82 16	—	—	—
48	85 2	84 4	83 4	82 2	—	—
49	85 10	84 12	83 12	82 12	81 10	—
50	85 18	85 0	84 0	83 0	82 0	80 18
51	86 8	85 10	84 10	83 10	82 8	81 6
52	86 16	85 18	85 0	84 0	82 18	81 16
53	87 4	86 8	85 10	84 10	83 8	82 6
54	87 14	86 16	85 18	85 0	83 18	82 16
55	88 2	87 6	86 8	85 10	84 10	83 8
56	88 12	87 16	86 18	86 0	85 0	84 0
57	89 2	88 6	87 8	86 10	85 10	84 10
58	89 12	88 16	87 18	87 0	86 2	85 2
59	90 2	89 6	88 10	87 12	86 14	85 14
60	90 10	89 16	89 0	88 4	87 6	86 6
61	91 0	90 6	89 10	88 14	87 18	86 18
62	91 10	90 16	90 2	89 6	88 10	87 12
63	92 0	91 6	90 12	89 18	89 2	88 4
64	92 8	91 16	91 2	90 8	89 12	88 16
65	92 18	92 6	91 14	91 0	90 4	89 8
66	—	92 16	92 4	91 10	90 16	90 0
67	—	—	92 14	92 2	91 8	90 12
68	—	—	—	92 12	91 18	91 4
69	—	—	—	—	92 10	91 16
70	—	—	—	—	—	92 8

Note.—If the age of a member or of his wife is outside the range of this table the joint annuity payable shall be determined by the committee with the advice of the actuary.

One-third of the annuity calculated in accordance with this table shall be payable to the retired member's widow during her life commencing on the day following that on which the retired member dies.

Death of joint annuitant before retired member.

3. If after a joint annuity has become payable the joint annuitant dies before the retired member the annuity payable to the retired member (calculated in accordance with the table shown in regulation 2 or determined by the committee as aforesaid as the case may be) shall continue unaltered in amount.

Application for joint annuity.

4.—(1) A member may not apply for a joint annuity until he attains the age of 54 years and 6 months or (except as provided by paragraph (3) of this regulation and by regulation 5) after he attains the age of 55 years.

(2) A member who applies for a joint annuity before he attains the age of 55 years—

(a) shall not be required as a condition of his application to pass a medical examination; and

(b) may at any time before the application is granted and before he attains the age of 55 years withdraw the application.

(3) A member who at the 1st July 1941 has attained the age of 55 years but has not attained the age of 58 years may within 3 months from that date apply for a joint annuity and—

(a) he shall not be required as a condition of his application to pass a medical examination; and

(b) he may at any time before the application is granted and before the expiration of 3 months from the 1st July 1941 withdraw the application.

Application at retirement.

5.—(1) A member (other than a member in whose case an application for a joint annuity has already been granted and the granting has not been revoked) may within the 3 months immediately preceding his prospective date of retirement apply for a joint annuity and the application may be granted if the member passes a medical examination by a medical officer and the committee are satisfied that the member's state of health is reasonably satisfactory having regard to his age and that his expectation of life is normal.

(2) If the application for a joint annuity is granted and the member does not retire from the service until after his prospective date of retirement but retires within 6 months of that date the granting of the application shall not be revoked by reason of his retirement being so deferred.

If the member remains in the service other than at the request of the Company for more than 6 months after his prospective date of retirement the granting of the application shall thereupon be revoked but he may make a further application for a joint annuity in accordance with paragraph (1) of this regulation.

(3) An application under this regulation may be withdrawn at any time before it is granted and before the member retires from the service.

(4) In this regulation "prospective date of retirement" means the date appointed by the Company or the member for the retirement of the member from the service.

(5) Notwithstanding anything to the contrary contained in the rules or these regulations—

(a) if a member whose application for a joint annuity has been granted remains in the service after his prospective date of retirement at the request of the Company and dies before retirement his legal personal representative shall be entitled to receive from the fund a sum equivalent to any capital sum which would have been payable to the member under rule 14 if he had retired from the service at the date of his death and in addition his joint annuitant shall be entitled to receive from the fund his or her proportionate part of the joint annuity the subject of the application;

(b) from any sum which but for this sub-regulation would be payable out of the fund upon the death of the member there shall be deducted any sum equivalent to any capital sum paid to the legal personal representative of the member under paragraph (a) of this sub-regulation and the sum (if any) remaining after such deduction shall be retained in the fund. Upon the death of the joint annuitant the amount paid by way of joint annuity shall be deducted from the said sum retained in the fund and the balance (if any) shall be payable to the deceased member's legal personal representative or if there be no such representative to the joint annuitant's legal personal representative in which case the joint annuitant shall be regarded as a deceased annuitant for the purposes of rule 25.

6.—(1) If the proposed joint annuitant in the case of a member whose application for a joint annuity has been granted dies before the member retires from the service the granting of the application shall thereupon be revoked.

Death of joint annuitant before member's retirement.

(2) The member shall furnish the committee with a certificate of the registration of the death of the proposed joint annuitant or such other evidence of the death as they may require.

7. If a member whose application for a joint annuity has been granted retires from the service before attaining the age of 60 years the granting of the application shall upon his retirement be revoked.

Member retiring before age 60 years.

8.—(1) A request for the revocation of the granting of an application for a joint annuity may be made—

Requests for revocation of joint annuities.

(a) by a member before he retires from the service;

(b) by a retired member within the 4 weeks immediately following the date on which he retires from the service;

and if the committee are of opinion that—

(i) the circumstances in which the request is made are of so exceptional a character as to justify the revocation; and

- (ii) in the case of a request under the foregoing sub-paragraph (b) that there was good reason for the request not having been made before the member retired;

the committee may with the assent of the directors revoke the granting of the application.

(2) The committee may decline to consider any such request unless the person who would have become the joint annuitant consents to be medically examined by a medical officer or a medical practitioner approved by the committee and the committee are satisfied that the state of health of such person is reasonably satisfactory having regard to age and that the expectation of life of such person is normal.

9. Except as expressly provided by these regulations the granting of an application for a joint annuity shall be irrevocable.

10. On the revocation in accordance with these regulations of the granting of an application for a joint annuity the member or retired member (as the case may be) shall become entitled subject to the rules to receive out of the fund his normal annuity and in the case of a retired member the normal annuity shall be payable as from the day after that on which he retired from the service but the retired member shall repay to the fund the amount of any joint annuity received by him.

11.—(1) An application for a joint annuity shall be in writing signed by the member and shall be sent to the secretary of the fund.

(2) The application shall be accompanied by a certificate of registration of birth of the proposed joint annuitant and (where the proposed joint annuitant is the member's wife) a certificate of marriage of the member and his wife. If the member is unable to furnish these certificates the committee may accept such evidence in lieu thereof as they may think proper.

(3) The secretary shall within 7 days of the receipt by him of the application send an acknowledgment in writing signed by him to the member.

(4) The withdrawal of an application in accordance with these regulations shall be by notice in writing signed by the member and delivered to the secretary.

(5) A member who has made an application and has withdrawn it in accordance with these regulations shall not be thereby precluded from making a further application provided that the further application complies with the requirements of these regulations.

12.—(1) A member shall state in his application whether he desires to convert into a joint annuity—

- (a) the whole of his normal annuity; or  
 (b) an amount (to be stated in the application) being part of his normal annuity and being an even multiple of a pound not less than £120; or  
 (c) a proportion (to be stated in the application) of his normal annuity such that the proportionate part is not less than £120:

Joint annuities irrevocable. Rights of member on revocation.

Requirements in connection with applications.

Conversion of whole or part of normal annuity.

Provided that where a proportionate part of a normal annuity to be converted as aforesaid is not an even multiple of a pound the amount to be converted shall be the next highest even multiple.

(2) If the unconverted portion of a normal annuity amounts at the time of a member's retirement from the service to less than £10 it shall then be converted into a joint annuity.

(3) A member who has converted into a joint annuity a part only or a proportion only of his normal annuity may with the consent of the committee at any time before he retires from the service increase the amount of that part or increase that proportion as the case may be.

13. After an application for a joint annuity has been granted the committee may if they think fit require—

Evidence of  
life and  
other matters.

(a) evidence from time to time of the continued existence of the joint annuitant during the lifetime of the member and after his death;

(b) upon the death of the retired member evidence establishing the identity of the joint annuitant;

(c) in the event of the re-marriage of a joint annuitant being a retired member's widow the production of a certificate of the marriage;

and the committee may withhold or suspend the payment of the annuity to the joint annuitant unless evidence as to these matters is furnished to their satisfaction.

14. If a person to whom a joint annuity is payable is unable by reason of accident or mental or physical infirmity to manage his or her affairs or to sign documents the provisions of rule 22 shall apply as if he or she were a person entitled to an annuity within the meaning of that rule.

Payment to  
person under  
disability.

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