



# Transport Act 1980

## 1980 CHAPTER 34

### PART III

#### RAILWAY ETC. PENSIONS

#### 56 Reduction of payments in respect of certain supplementation schemes

- (1) This section applies where, in relation to a B.R. or N.F.C. pension scheme (" the supplementation scheme "), the relevant pension obligations include obligations arising after the passing of this Act to pay or secure the payment of increases of pensions payable under any other pension scheme, being a scheme established by the Board or the Corporation (" the basic scheme ").
- (2) If the actuary to the basic scheme certifies that the assets of that scheme exceed its liabilities, then, in relation to the supplementation scheme, any obligation arising after the date of the actuary's certificate to pay or secure the payment of any increases of pensions payable under the basic scheme or, if less, the relevant proportion of any such increases shall not be regarded as a relevant pension obligation for the purposes of any determination under section 55(1).
- (3) In subsection (2) "the relevant proportion", in relation to any increases, means, subject to subsection (4), the proportion (if any) certified by the actuary to the basic scheme to be the proportion of those increases which, if payable under that scheme, could be funded by 75 per cent, of the amount by which the assets of that scheme exceed its liabilities.
- (4) Where any obligation arising after the date of a certificate under subsection (3) is an obligation to pay or secure the payment of a proportion only of any increases to which the certificate relates, then, in relation to that obligation, the relevant proportion for the purposes of subsection (2) shall be given by the formula—

$$\frac{A+B-1}{A}$$

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*Status: This is the original version (as it was originally enacted).*

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where A is the first mentioned proportion and B is the proportion certified by the actuary.

- (5) The Minister may direct the persons administering the basic scheme—
- (a) to arrange for the actuary to the scheme to certify whether or not the assets of the scheme exceed its liabilities ; and
  - (b) to send a copy of the actuary's certificate to the Minister ;
- but no direction shall be given under this subsection within the period of three years beginning with the giving by the actuary of such a certificate.
- (6) References in this section to the assets and liabilities of the basic scheme are references to the assets and liabilities of that scheme so far as it relates to the payment of pensions increases of which are or are likely to become payable under the supplementation scheme.