



# British Telecommunications Act 1981

## 1981 CHAPTER 38

### PART II

#### THE POST OFFICE

##### *Pensions*

#### **76 Power of the Secretary of State to make orders about pensions**

- (1) The Secretary of State may make orders under this section providing for either or both of the following matters, namely—
- (a) the enabling of employees of any of the Post Office's subsidiaries to participate or continue to participate in any pension scheme established by the Post Office under section 43 of the 1969 Act; and
  - (b) any matter supplemental or incidental to or consequential on the matter aforesaid, including the amendment of any statutory provision and any trust deed, rules or other instrument made for the purposes of such a scheme;

but nothing in this section shall authorise the making of provision for the diversion of any part of a pension fund to purposes other than the payment of pensions to or in respect of employees of any of the Post Office's subsidiaries.

- (2) An order under this section shall be so framed as to secure that no person other than the Post Office or any of its subsidiaries is placed in a worse position than he would have been in if the order had not been made.

An order shall not be invalid by reason that in fact it does not secure that result; but if the Secretary of State is satisfied or it is determined as hereinafter mentioned that an order has failed to secure that result, the Secretary of State shall as soon as possible make the necessary amending order.

Any dispute arising as to whether or not the said result has been secured shall be referred to and determined by an industrial tribunal.

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*Status: This is the original version (as it was originally enacted).*

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- (3) An order under this section may be made so as to have effect from a date prior to the making thereof, so however that so much of any order as provides that any provision thereof is to have effect from a date prior to the making of the order shall not place any person other than the Post Office or any of its subsidiaries in a worse position than he would have been in if the order had been made to have effect only from the date of its making.
- (4) An order under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.