

1971 No. 1128

## TRANSPORT

## PENSIONS AND COMPENSATION

**The British Transport (Pensions of Employees)  
Order 1971**

<i>Made</i> - - - -	<i>9th July 1971</i>
<i>Laid before Parliament</i>	<i>21st July 1971</i>
<i>Coming into Operation</i>	<i>22nd July 1971</i>

The Secretary of State for the Environment and the Secretary of State for Scotland, acting jointly, make this Order in exercise of their powers under section 74 of the Transport Act 1962(a), as read with section 136 of the Transport Act 1968(b), and of all other enabling powers:—

*Commencement, citation and interpretation*

1.—(1) This Order shall come into operation on the 22nd July 1971, and may be cited as the British Transport (Pensions of Employees) Order 1971.

(2) In this Order—

“national transport authority” means any of the following—  
the British Railways Board,  
the British Transport Docks Board,  
the British Waterways Board,  
the Transport Holding Company,  
the National Freight Corporation,  
the National Bus Company,  
the Scottish Transport Group,  
a subsidiary of any of the above bodies ;

“term”, in relation to a pension scheme, includes any rule or provision of the scheme, or of any statutory provision relating to the scheme, or of any deed or other instrument made for the purposes of the scheme.

(3) The Interpretation Act 1889(c) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

*Removal of requirement for Ministerial consent in connection with pension schemes of national transport authorities*

2.—(1) Article 17 of the British Transport Reorganisation (Pensions of Employees) (No. 3) Order 1962 (d) and Article 12 of the British Transport (Pensions of Employees) (No. 1) Order 1968(e) (which prohibit national transport authorities from paying pensions or entering into obligations under pension schemes without the consent of the Secretary of State) are hereby revoked.

(a) 1962 c. 46. (b) 1968 c. 73. (c) 1889 c. 63. (d) S.I. 1962/2758 (1962 III, p.3866).  
(e) S.I. 1968/2011 (1968 III, p. 5450)

(2) Where the terms of a pension scheme, the participants in which include employees of a national transport authority, provide for the making of changes in that scheme with the consent or approval of the Secretary of State or of a Minister of the Crown whose functions are now vested in the Secretary of State, or prohibit the making of such changes without such consent or approval, the requirement of those terms (howsoever expressed) for such consent or approval to the making of such changes shall cease to have effect.

Signed by authority of the Secretary of State for the Environment  
9th July 1971.

*John Peyton,*  
Minister for Transport Industries  
Department of the Environment.

Given under the Seal of the Secretary of State for Scotland 9th July  
1971.

(L.S.)

*Gordon Campbell,*  
Secretary of State for Scotland.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order revokes the provisions of the British Transport Reorganisation (Pensions of Employees) (No. 3) Order 1962 and the British Transport (Pensions of Employees) (No. 1) Order 1968 which require national transport authorities to obtain the consent of the Secretary of State before paying pensions or entering into obligations under pension schemes. The Order also sets aside specific provisions to the same effect appearing in existing pension schemes of national transport authorities.