1964. No. 57 **[C]**

ULSTER TRANSPORT AUTHORITY SALARIED STAFF SUPERANNUATION SCHEME

REGULATIONS*, DATED THE 15TH DAY OF APRIL, 1964, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER THE TRANSPORT ACT (NORTHERN IRELAND) 1948(a).

The Ministry of Home Affairs in exercise of the powers vested in it by Section 36 of the Transport Act (Northern Ireland) 1948 and all other powers enabling it in that behalf hereby makes the following regulations:

1. These regulations shall be deemed to have come into operation on the thirtieth day of December, 1963, and may be cited as the Ulster Transport Authority Salaried Staff Superannuation Regulations 1964.

2. In these regulations, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

The "Act" means the Transport Act (Northern Ireland) 1948.

The "Authority" means the Ulster Transport Authority.

The "Ministry" means the Ministry of Home Affairs for Northern Ireland.

"Existing Schemes" or "Existing Scheme" means the following schemes or either of them (that is to say) the Northern Ireland Road Transport Board Pension and Life Assurance Scheme which commenced on the 1st day of June, 1943, and the Belfast Omnibus Company Limited Pension and Life Assurance Scheme which commenced on the 1st day of June, 1934.

3.—(1) There shall be established by the Authority a superannuation scheme to be known as the Ulster Transport Authority Salaried Staff Superannuation Scheme (hereinafter called "the Scheme") for employees in wholetime employment in the salaried grades of the Authority and for certain wholetime members of the Authority.

(2) The Scheme shall be in accordance with the rules set out in the Schedule and shall be administered as provided for in those rules.

(3) The rules in so far as they provide for—

(*a*) employees becoming members compulsorily;

(*b*) any contribution due from a member being deducted from that member's remuneration;

shall be lawful and have effect notwithstanding anything in any enactment.

4. In respect of any member of an Existing Scheme who becomes a Member of the Scheme under the Rules—

(*a*) contributions to the Existing Scheme by the Authority and by the Member shall cease as from the date of admission to membership of

(a) 1948. c. 16.

*A draft of these Regulations was affirmed by Resolution of the Senate on the 7th day of April, 1964, and by Resolution of the House of Commons on the 14th day of April, 1964.

the Scheme, but for the purposes of the Certificate of Non-participation No. U.172 issued under Part II of the National Insurance Act (Northern Ireland) 1959 the Member shall be treated as contributing to the Existing Scheme up to and including the date before the operative date of any Certificate of Non-participation which may be issued in respect of the Scheme;

(*b*) contributions to the Existing Scheme in respect of life assurance and disability benefit shall cease as from the date of admission to membership of the Scheme or the date on which the Member applies for membership of the Scheme, whichever is the later, and as from that date the life assurance and disability benefit entitlement shall cease;

(*c*) no pension shall accrue to the Member under the Existing Scheme in respect of service after the date of admission to membership of the Scheme;

(*d*) the pension which has accrued in respect of the Member under the Existing Scheme and the contributions which have been made in respect thereof shall remain subject to the provisions of the Existing Scheme.

5. The rules shall not be amended or added to otherwise than by regulations made by the Ministry under Section 36 of the Act.

Sealed with the Official Seal of the Ministry of Home Affairs this 15th day of April, 1964.

(L.S.) *John F. Irvine,*
Assistant Secretary.

The Ministry of Finance hereby approves the foregoing regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 15th day of April, 1964.

(L.S.) *W. W. Arthur,*
Assistant Secretary.

SCHEDULE

THE RULES

OF

THE ULSTER TRANSPORT AUTHORITY SALARIED STAFF SUPERANNUATION SCHEME

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 Fund' means the superannuation fund established by the Authority pursuant to Rule 2;

"The Service" means the service of the Authority;

"Salaried Officers" means officers and servants in the Service, whether male or female, paid at a salary fixed at a rate per annum, being—

(i) persons in the employment of the Authority at 29th December 1963; or

(ii) persons appointed to the Authority's permanent salaried staff after 29th December 1963—

and includes whole-time members of the Authority who, prior to their appointment under section 1 of the Act, were in the employment of the Authority;

"Salary" means in relation to a Salaried Officer the basic annual rate of salary payable to him (inclusive of such amounts as may be allowed under Rule 11);

"Participating Employment" means any employment with the Authority in which a Member is required to pay graduated contributions under the National Insurance Act (Northern Ireland) 1959, or would be required to pay such contributions if his remuneration exceeded the amount mentioned in paragraph (*b*) of sub-section (1) of Section 1 of that Act;

"Member" in relation to the Scheme means a person from time to time contributing to the Fund, except as provided for in the Rules, 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 Contributors' Committee-men" means the members of the Committee from time to time elected by the Members;

"The Authority's Committee-men" means the members of the Committee from time to time appointed by the Authority;

"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 by the Committee with the assent of the Authority;

"Medical Officer" means a medical officer appointed by the Committee or failing such appointment one of the medical officers of the Authority;

"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;

(2) In the Rules, unless the context otherwise requires,—

(*a*) any reference to a Member's contributions to the Fund shall be construed as including a reference to any sum (other than a payment in the nature of interest) paid by the Member under any provision of the Rules relating to antedating of membership or added years; and

(*b*) any reference to a Member's years or period of membership of the Scheme shall be construed as including a reference to the years (if any) during which he was deemed to have been a Member of the Scheme either by antedating or added years or both, and

(*c*) any reference to contributions to the Fund in respect of a Member shall be construed as not including contributions pursuant to Rule 14 to secure the solvency of the Fund.

Establishment of Fund

2. The Authority shall establish a superannuation fund for the purposes of the Scheme.

CONSTITUTION

Assets constituting Fund

3. The Fund shall be held by the Authority upon irrevocable trust for the purposes of the Scheme and shall comprise:—

(*a*) Contributions of and payments by the Members to the Fund made under the Rules;

(*b*) Contributions of and payments by the Authority to the Fund made under the Rules;

(*c*) Dividends and interest received by or payable on the Fund;

(*d*) Transfer value payments made to the Fund;

(*e*) All other moneys of and additions to the Fund;

and the funds, securities, bonds, debentures, stocks, shares and other investments, policies, moneys and property for the time being representing the same and all other funds, securities, bonds, debentures, stocks, shares and other investments, policies, moneys and property (if any) from time to time received and for the time being held by the Authority by way of addition or accretion to the Fund.

CONTRIBUTING MEMBERS

Membership of Scheme

4.—(1) The following persons shall, subject to the provisions of the Rules, become Members of the Scheme:—

(*a*) every male person becoming a Salaried Officer on or after the 30th December 1963 whose age at the date of his becoming a Salaried Officer does not exceed 52 years;

(*b*) every female person becoming a Salaried Officer on or after the 30th December 1963 whose age at the date of her becoming a Salaried Officer does not exceed 47 years.

(2) The following persons may, subject to the provisions of the Rules, become Members of the Scheme:—

(*a*) every male person in the Service on the 30th December 1963 who is and was on the 29th December 1963 a Salaried Officer, whose age at the date of his becoming a Salaried Officer did not exceed 55 years and who is not a member of the Railway Clearing System Superannuation Fund or the L.M.S. Railway Superannuation Fund;

(*b*) every female person in the Service on the 30th December 1963 who is and was on the 29th December 1963 a Salaried Officer, whose age at

the date of her becoming a Salaried Officer did not exceed 50 years and who is not a member of the Railway Clearing System Superannuation Fund or the L.M.S. Railway Superannuation Fund.

(3) (*a*) Every Salaried Officer to whom paragraphs (1) and (2) apply must complete an application for membership of the Scheme in such form as the Committee shall from time to time determine;

(*b*) in the case of persons to whom paragraph (2) applies membership shall be optional and if such a person does not apply for membership by the 29th June 1964 any subsequent application by him for membership shall be subject to the previous approval of the Authority to which is reserved the right to determine (subject to the approval of the Committee) the effective date of his admission to membership of the Scheme.

(4) A Salaried Officer whose application for membership of the Scheme under paragraph (3) of this Rule is in order shall be admitted to membership of the Scheme

(*a*) as from the 30th December 1963 if he is then eligible and applies for admission by the 30th April 1964;

(*b*) subject to (*a*) above as from the first day of the month coincident with or, if not coincident with, next following the date upon which his application reaches the Secretary within the prescribed period in the case of a person to whom paragraph (3)(*b*) of this Rule applies.

(5) A Salaried Officer who has ceased to be a Member may be re-admitted as a Member by the Committee upon the recommendation of the Authority and the Authority shall on the advice of the Actuary determine the contributions to be paid and the benefits to be provided under the Rules by and in respect of the Member.

Option to persons who are Salaried Officers at 29th December 1963

5.—(1) Every person in the Service on the 30th December 1963 who is and was on the 29th December 1963 a Salaried Officer and whose age at the date of joining the Service did not exceed 55 years in the case of a man or 50 years in the case of a woman and who is to become a Member shall have the option (to be exercised as hereinafter mentioned) to have added to his years of membership of the Scheme any period not exceeding the period of his continuous employment as a Salaried Officer of the Authority up to the date of his admission to membership of the Scheme:

Provided that

(*a*) if any such person is 52 years or over in the case of a man or 47 years or over in the case of a woman then on applying for admission to the Scheme he will be deemed whether or not he exercises the aforesaid option to have elected to have added to his years of membership of the Scheme the period of his employment as aforesaid from his 52nd anniversary of birth if a man or her 47th anniversary of birth if a woman up to the 29th December 1963;

(*b*) for the purpose of the provisions in paragraph (*a*) any such person who was promoted from a wages grade of the Authority after age 52 in the case of a man or age 47 in the case of a woman his employment as aforesaid will be deemed to have commenced from the 52nd anniversary of his birth, if a man, or 47th anniversary of her birth, if a woman;

(*c*) if any such person is a member of an Existing Scheme then the period to be added to his years of membership in accordance with any election by him under the aforesaid option shall not exceed such period as shall be determined by the Authority with the advice of the Actuary in respect of him, the difference between such period and the maximum period which he could have elected to have added to his years of membership being referable to the total amount of the contributions paid by the Authority to the Existing Scheme in respect of him up to the date of his admission to membership of the Scheme.

(2) If any Salaried Officer desires to exercise the option referred to in this Rule, he shall notify the Secretary accordingly by sending to the Secretary an appropriate notice to reach the Secretary by not later than the 29th June 1964, 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 have effect.

ANTE-DATING OF MEMBERSHIP

Ante-dating of membership in case of Salaried Officers at 29th December 1963

6.—(1) The membership of the Scheme of any Salaried Officer who exercises the option referred to in Rule 5 shall be ante-dated so that such membership shall be deemed to have commenced on the date from which the period of membership added pursuant to Rule 5(1) in respect of him would have commenced if the Scheme had then been constituted and established.

(2) In any aforementioned case the Salaried Officer shall pay to the Fund and the Authority shall in respect of the Salaried Officer pay to the Fund sums of such amount or amounts and on such terms as shall be determined by the Authority with the advice of the Actuary.

(3) If the aggregate of the annual contribution payable by the Salaried Officer under this Rule and under Rule 8 by way of additional annual rate of contribution, together with the annual rate of his contribution under Rule 9, exceeds 10% of his Salary, he may enter into an agreement with the Authority whereby the period over which sums payable by him under paragraph (2) may include a period after the date upon which he would, if he survived, attain the age of 62 years in the case of a man and 57 years in the case of a woman.

(4) If the aggregate of the annual rate of contribution payable by the Salaried Officer under this Rule and under Rule 8 by way of additional annual rate of contribution, together with the annual rate of his contribution under Rule 9, exceeds 15% of his Salary he shall satisfy his liability in respect of the excess over 15% by payment (either in a lump sum or by way of instalments payable at such times and on such terms as may be agreed by the Authority) of the sum certified by the Actuary to represent the capital value of the excess.

Ante-dating of membership of men over 40, women over 35, and probationers

7.—(1) Except in the case of a person to whom Rule 6 applies, the Committee may, with the assent of the Authority, at the time of admission as a Member of a person, in the case of a male over 40 years of age, or in the case of a female over 35 years of age, permit him to antedate his membership to commence as from any date not earlier than the date of his attaining the age of 40 years or 35 years, as the case may be.

(2) In the case of a person who has been or is before or on or after the 30th December 1963 appointed to the Authority's permanent staff after a probationary period or following a period of articles or other training with the Authority, the Committee may, with the assent of the Authority, at the time of his admission as a Member, permit him to antedate his membership to commence as from any date not earlier than the beginning of the probationary or other period.

(3) In any such case as aforesaid the Member shall pay to the Fund and the Authority shall in respect of the Member pay to the Fund sums of such amount or amounts and on such terms as shall be determined by the Committee with the advice of the Actuary.

(4) If the aggregate of the annual contribution payable by the Salaried Officer under this Rule and under Rule 8 by way of additional annual contribution, together with the annual rate of his contribution under Rule 9, exceeds 10% of his Salary he may enter into an agreement with the Authority whereby the period over which sums payable by him under paragraph (3) may include a period after the date upon which he would, if he survived, attain the age of 62 years in the case of a man and 57 years in the case of a woman.

(5) If the aggregate of the annual rate of contribution payable under this Rule and under Rule 8 by way of additional annual rate of contribution, together with the annual rate of his contribution under Rule 9, exceeds 15% of his Salary he shall satisfy his liability in respect of the excess over 15% by payment (either by a lump sum or by way of instalments payable at such times and on such terms as may be agreed between him and the Authority) of the sum certified by the Actuary to represent the capital value of the excess.

(6) Except as provided by the next following Rule, a Member shall not be permitted to antedate his membership to commence as from any date prior to his entry into the Service.

Added years of membership

8.—(1) In the case of any Salaried Officer who has been or is before or on or after the 30th December 1963 appointed on account of professional or other special qualifications, the Authority may at any time at the request of the Salaried Officer direct that such number of years (not exceeding 10) as the Authority may specify be added to his years of membership of the Scheme.

(2) A Salaried Officer to whom such a direction as aforesaid applies shall contribute to the Fund at the rate of contribution applicable to his actual age on appointment as a Salaried Officer, 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 Salaried Officer's Salary at the date of his becoming a Member of the Scheme, and that Salary shall for all the purposes of the Rules be deemed to have been his Salary during the added years.

(3) The Authority shall also contribute to the Fund in respect of any Salaried Officer to whom paragraph (2) of this Rule applies sums of such amount or amounts and on such terms as shall be determined by the Committee with the advice of the Actuary.

CONTRIBUTIONS

Scales of Members' Contributions

9.—(1) The contributions to the Fund of a Member shall be according to the scale set out below as reduced by the scale set out in paragraph (2) of this Rule and, where applicable, the proviso to this paragraph (1):

Member	Percentage of Salary
Age on birthday nearest to date as from which membership of the Scheme is deemed to have commenced	
Less than 23	5·0
23	5·25
24	5·5
25 to 27	5·75
28 to 30	6·0
31 to 33	6·25
34 to 36	6·5
37 to 39	6·75
40, 41	7·0
42 to 44	7·25
45, 46	7·5
47, 48	7·75
49, 50	8·0
51 and over	8·25

Provided that in respect of any Member who is or has been in Participating Employment the contributions payable by him shall be reduced according to his age by one-half of the yearly amount as set out in the following table:—

Column 1	Column 2	
Age on birthday nearest to the 5th April following a graduated contribution under the National Insurance Act (Northern Ireland) 1959, paid by the Member of £7 10s. 0d. in the case of a man or £9 0s. 0d. in the case of a woman or multiples thereof	Amount of reduction to be made in the year following the 5th April referred to in Column 1 in contributions payable by and in respect of the Member for each payment by the Member of £7 10s. 0d. in the case of a man or £9 0s. 0d. in the case of a woman of graduated contribution under the National Insurance Act (Northern Ireland) 1959	
	Men	Women
	£ s.	£ s.
18	1 6	1 4
19	1 8	1 6
20	1 10	1 8
21	1 12	1 10
22	1 14	1 14
23	1 16	1 18
24	1 18	2 2

Column 1	Column 2	
Age on birthday nearest to the 5th April following a graduated contribution under the National Insurance Act (Northern Ireland) 1959, paid by the Member of £7 10s. 0d. in the case of a man or £9 0s. 0d. in the case of a woman or multiples thereof	Amount of reduction to be made in the year following the 5th April referred to in Column 1 in contributions payable by and in respect of the Member for each payment by the Member of £7 10s. 0d. in the case of a man or £9 0s. 0d. in the case of a woman of graduated contribution under the National Insurance Act (Northern Ireland) 1959	
	Men	Women
	£ s.	£ s.
25	2 0	2 6
26	2 2	2 12
27	2 4	2 18
28	2 6	3 4
29	2 8	3 10
30	2 12	3 16
31	2 14	4 2
32	2 18	4 8
33	3 0	4 14
34	3 2	5 0
35	3 6	5 8
36	3 8	5 14
37	3 12	6 0
38	3 14	6 8
39	3 18	6 16
40	4 2	7 2
41	4 6	7 8
42	4 10	7 14
43	4 14	8 2
44	4 18	8 10
45	5 2	8 18
46	5 6	9 6
47	5 12	9 14
48	5 16	10 2
49	6 2	10 10
50	6 8	11 0
51	6 14	11 10
52	7 0	12 0
53	7 6	12 10
54	7 12	13 2
55	7 18	13 14
56	8 4	14 6
57	8 12	14 18
58	9 0	15 12
59	9 8	16 8
60	9 16	17 6
61	10 6	
62	10 18	
63	11 10	
64	12 4	
65	13 0	

and so that this proviso shall cease to apply to a Member on his transfer to employment in a grade of employees who are not eligible to become Members of the Scheme.

(2) In arriving at the amount of the contributions payable by a Member the amount determined in accordance with paragraph (1) of this Rule shall be reduced in respect of any period of membership after the 31st August 1956 by one-half of the annual amount as set out in the following table against his age at the date from which reduced contributions are paid:—

Column 1	Column 2	
Age of Member at the date from which reduced contributions are paid	Amount of reduction in the annual contributions payable by and in respect of the Member	
	Men	Women
	£ s. d.	£ s. d.
under 19	3 13 10	4 11 4
19 and under 20	3 18 4	4 15 8
20 „ „ 21	3 18 4	5 0 0
21 „ „ 22	4 2 8	5 4 4
22 „ „ 23	4 7 0	5 13 0
23 „ „ 24	4 7 0	5 17 4
24 „ „ 25	4 11 4	6 1 8
25 „ „ 26	4 15 8	6 10 6
26 „ „ 27	4 15 8	6 14 10
27 „ „ 28	5 0 0	6 19 2
28 „ „ 29	5 0 0	7 3 6
29 „ „ 30	5 4 4	7 7 10
30 „ „ 31	5 8 8	7 16 6
31 „ „ 32	5 8 8	8 5 2
32 „ „ 33	5 13 0	8 9 6
33 „ „ 34	5 13 0	8 13 10
34 „ „ 35	5 17 4	9 2 8
35 „ „ 36	6 1 8	9 7 0
36 „ „ 37	6 6 0	9 11 4
37 „ „ 38	6 10 6	9 15 8
38 „ „ 39	6 10 6	10 0 0
39 „ „ 40	6 14 10	10 4 4
40 „ „ 41	6 19 2	10 8 8
41 „ „ 42	7 3 6	10 13 0
42 „ „ 43	7 7 10	10 17 4
43 „ „ 44	7 12 2	11 6 0
44 „ „ 45	7 16 6	11 14 10
45 „ „ 46	8 0 10	12 3 6
46 „ „ 47	8 5 2	12 7 10
47 „ „ 48	8 9 6	12 16 6
48 „ „ 49	8 13 10	13 0 10
49 „ „ 50	9 2 8	13 9 6
50 „ „ 51	9 7 0	13 9 6
51 „ „ 52	9 11 4	13 9 6
52 „ „ 53	9 15 8	13 9 6
53 „ „ 54	10 4 4	13 9 6
54 „ „ 55	10 13 0	13 9 6
55 and over	11 1 8	13 9 6

(3) Where a person to whom this Rule applies, having existing retirement benefit rights in respect of future service under any other retirement scheme to which the Authority is contributing, is admitted to membership of the Scheme his rate of contribution to the Fund and the amount of benefit payable to or in respect of him out of the Fund shall be reduced in such manner as shall be determined by the Committee with the advice of the Actuary to be equitable, having regard to such retirement benefit rights.

Deduction of contributions from Salary

10.—(1) Any sum payable by a Member in accordance with the Rules shall accrue due at the like weekly or other intervals as are customary in relation to payment of his Salary.

(2) The Authority, when making payments of Salary to a Member, may deduct the appropriate amount in respect of any sum due from the Member as aforesaid and shall pay to the Fund every amount so deducted as soon as practicable after the date on which such sum shall have been so deducted.

Salary may include emoluments

11. For the purpose of ascertaining the amount of the contributions of any Member and of the Authority in respect of the Member, his Salary may, with the assent of the Authority, the Committee and the Member, be deemed to include such amount as in the opinion of the Committee represents the value of any benefit allowed to him by way of board, lodging, commission or other special remuneration.

Contributions when Salary suspended or reduced

12. If the Salary of any Member shall be suspended or reduced, after the Member has attained the age of 52 years in the case of a male or the age of 47 years in the case of a female, the Member may, with the assent of the Authority and of the Committee, continue his contributions to the Fund and remain entitled to the benefits of the Scheme on the basis of his Salary immediately before the suspension or reduction. In this event and so long as the Member's actual Salary for the time being is less than his Salary as aforesaid then the expression "Total Remuneration" shall for the purposes of Rule 88(4) be construed as if the Member's actual Salary for the year ending on the date in question were his Salary immediately before the suspension or reduction.

Change of Grade

13. A Member who is transferred to a grade in which employees are not eligible for membership of the Scheme—

(*a*) may with the assent of the Authority, the Committee and the Member remain a contributing Member of the Scheme, or

(*b*) failing such assent as is mentioned in (*a*) of this Rule, shall remain a Member of the Scheme without further contribution under Rule 9 and on the happening of any event in respect of which benefits are payable under the Rules shall receive benefits of an amount calculated in accordance with the Rules as though membership without further contribution in accordance with this Rule were contributing membership but for the purpose of such calculation the date of being transferred to a grade in which employees are not eligible for membership of the Scheme shall be substituted for the date of the happening of the event in respect of which benefits are payable and the provisions of Rule 16 shall apply.

Provided that:—

(i) the Member shall only be entitled to benefits under Rules 15 and 27(4) before attaining the age of 65 years in the case of a male or 60 years in the case of a female at the request of the Member and with the assent of the Committee and such benefits shall be of an amount certified by the Actuary to be equivalent at the date of retirement to the value of the benefits that would have been payable from the age of 65 years in the case of a male or 60 years in the case of a female, and

(ii) Rule 19 shall not apply.

If the Member shall again become employed in a grade in which employees are eligible for membership of the Scheme and again become a contributing Member he shall be re-admitted to contributing membership on such terms as the Committee on the advice of the Actuary and with the assent of the Authority shall determine.

Contributions by Authority

14.—(1) The Authority shall contribute to the Fund sums equal to the amounts contributed by the Members under Rule 9.

(2) The Authority shall pay into the Fund either in a lump sum or (at their option) by periodical payments over a period not exceeding sixty years such sums as may be certified by the Actuary to be required for securing the solvency of the Fund at the 30th day of December 1963.

BENEFITS

Scale of superannuation allowances

15.—(1) Every Member who having been or being deemed to have been a Member of the Scheme for 10 years or upwards and being a male attains the age of 62 years or being a female attains the age of 57 years shall on leaving the Service cease to be a Member of the Scheme and shall be entitled to receive from the Fund by way of superannuation allowance a capital sum and an annuity for life.

(2) The said capital sum shall be a sum equal to 1/40th 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 or is deemed to have been a Member of the Scheme.

(3) The said annuity shall subject to Rule 21 be an annual sum equal to the aggregate of:—

(*a*) 1/120th part of the average Salary of which the Member has been in receipt throughout the whole period during which he has been or is deemed to have been a Member of the Scheme multiplied by the number of completed years not exceeding 40 during which he has been or is deemed to have been a Member of the Scheme, and

(*b*) 1/120th 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 or is deemed to have been a Member of the Scheme:

Provided that, for the purposes of the foregoing paragraph (*a*), if the Member has been a Member of the Scheme for more than 40 years the calculation of his average Salary shall be based upon his average Salary for the last 40 years of his membership of the Scheme.

Joint annuities

16.—(1) Subject to the Regulations set forth in Appendix I to the Rules, a Member of the Scheme 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.

(2) The joint annuitants to whom this Rule applies are—

(*a*) in the case of a male Member having a wife (other than a divorced wife) alive, the Member's wife;

(*b*) in the case of a male Member not having a wife (other than a divorced wife) alive or in the case of a female Member, one dependent Relative whose age is not less than 45 years at the date appointed by the Authority or the Member for the retirement of the Member from the Service.

(3) If a retired Member 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 Member's personal representative for distribution in accordance with any directions contained in the deceased Member's will or any codicil thereto as to the disposition of the said sum or of the residue of the testator's estate or (failing any such directions) to the joint annuitant's personal representative or, if there be no such representative, then the provisions of Rule 25 shall apply to the payment as if the joint annuitant were a deceased annuitant within the meaning of that Rule.

(4) If a Member to whom a joint annuity has been granted shall die whilst in the Service after attaining the age in the case of a male Member of 60 years or in the case of a female Member of 55 years leaving a joint annuitant surviving such Member:—

(*a*) a sum equivalent to any capital sum which would have been payable to him under Rule 15 if he had retired from the Service on the day before that on which he died, reduced by a sum equal in amount to the difference between the aggregate of all sums paid by and in respect of the Member by way of contributions under the Scheme and the aggregate of all sums which would have been so payable under the Scheme had the contributions of the Member been determined solely in accordance with the scale set out in Rule 9(1) or such lesser amount as will result in the said capital sum not being less than a sum equal in amount to the aggregate of all sums paid by and in respect of the Member by way of contributions under the Scheme, shall be payable out of the Fund in accordance with Rule 25;

(*b*) any further sum 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 further 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 Member's personal representative for distribution in accordance with any directions contained in the deceased Member's will or any codicil thereto as to the disposition of the said sum or of the residue of the testator's estate or (failing any such directions) to the joint annuitant's

personal representative or if there be no such representative then the provisions of Rule 25 shall apply to such payment as if the joint annuitant were a deceased annuitant within the meaning of that Rule.

Incapacity after 10 years' membership

17.—(1) Any member who, having been or being deemed to have been a Member of the Scheme for 10 years or upwards, retires from the Service, in the case of a male before attaining the age of 62 years or in the case of a female before attaining the age of 57 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, shall be entitled on such retirement to a capital sum and to an annuity for life calculated in accordance with Rule 15 but on the basis of the number of years during which he has then been or is deemed to have been a Member.

(2) While any such person in the case of a male is under the age of 62 years, or in the case of a female is under the age of 57 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 as aforesaid, he shall in the case of a male on attaining the age of 62 years, or in the case of a female on attaining the age of 57 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.

Incapacity before 10 years' membership

18.—(1) Any Member who, not having been a Member of the Scheme for 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 subject to Rule 21 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 or under the Scheme.

(2) While any such person in the case of a male is under the age of 62 years, or in the case of a female is under the age of 57 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 as aforesaid, he shall in the case of a male on attaining the age of 62 years, or in the case of a female on attaining the age of 57 years, be entitled to the said annuity for life whether his incapacity continues or not and whether or not he is earning an income.

(4) Notwithstanding the foregoing provisions of this Rule, on attaining the age of 65 years in the case of a male or 60 years in the case of a female, the annuity payable to the Member if he is a Contracted-out Member as defined in Rule 87(2)(*b*) shall not be less than the Preserved Annuity as defined in that Rule.

Minimum annuity

19. Subject to Rule 21 and except as provided by Rules 16, 17 and 18, an annuity payable under the Rules shall not be less than the undermentioned sums:—

Completed years of Membership	Male Staff	Female Staff
	£	£
26 or over	120	78
25	116	78
24	112	76
23	108	74
22	104	72
21	100	70
20	96	68
19	92	66
18	88	64
17	84	62
16	80	60
10 but less than 16	78	60

Provided that, on the Member attaining the age of 65 years in the case of a male or 60 years in the case of a female, the annuity payable to the Member if he is a Contracted-out Member as defined in Rule 87(2)(*b*) shall not be less than the Preserved Annuity as defined in that Rule.

Commutation of superannuation allowances

20.—(1) The Committee may, with the assent of the Authority, agree with a Member on his retirement to commute the capital sum into a supplementary annuity or, in an exceptional case of serious ill-health, to commute any part of the annuity into a capital sum, the basis for commutation in each case to be decided by the Actuary. The Committee may similarly commute into a capital sum an annuity payable to a Member which is trifling in amount, which for the purpose of this Rule means an annuity which together with the annuity or an annuity equivalent of the benefits to which the Member may be or become entitled under all other retirement benefits schemes of the Authority or to which the Authority and its predecessors have contributed (including the Scheme) is not more than £39 per annum.

(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 Authority in respect of that sum under or by virtue of section 379 of the Income Tax Act 1952.

Reduction in Annuity

21. Any annuity payable under Rule 15, 17, 18, 19 or 27(4) shall, as from the date on which the Member becomes entitled thereto or as from the date on which the Member attains the age of 65 years in the case of a man or the age of 60 years in the case of a woman, whichever date is the later, be reduced by whichever is the lesser of the following amounts:—

(*a*) £1 14s. 0d. for each completed year of membership of the Scheme during which his contributions have been reduced in accordance with Rule 9(2), and

(*b*) £67 12s. 0d.,

and in respect of any Member who is or has been in Participating Employment the said annuity shall, as from the later of the aforesaid dates, be further reduced by 6d. per week for each £7 10s. 0d. in the case of a man or £9 0s. 0d. in the case of a woman paid by the Member as graduated contributions under the National Insurance Act (Northern Ireland), 1959 during his period of contributory membership of the Scheme but so that these provisions regarding the said further reduction to the said annuity shall not apply in relation to any employment of the Member in a grade of employees who are not eligible to become Members of the Scheme.

Allowances and payments due to persons under disability

22. Where a person who has become entitled under the Rules to an annuity, supplementary annuity or other payment is unable by reason of accident or mental or physical infirmity to manage his affairs or to sign documents, the Authority may from time to time on the advice of the Committee pay the annuity or supplementary 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 pay so much of the annuity or supplementary annuity or make such other payment as the Authority, on the advice of the Committee, 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 Scheme (including the Fund) and the Authority shall be discharged from all liability in respect of any sums so paid.

Death before superannuation

23. If any Member dies before becoming entitled to a superannuation allowance under the Rules, there shall (subject to the provisions of paragraph (4) of Rule 16) be paid out of the Fund in accordance with Rule 25 a capital sum equal to 1/30th of his Salary at the date of his death multiplied by the number of completed years during which he has been or is deemed to have been a Member of the Scheme or a capital sum equal to one-half of such Salary whichever may be the greater reduced in either case by a sum equal in amount to the difference between the aggregate of all sums paid by and in respect of the Member by way of contributions under the Scheme and the aggregate of all sums which would have been so payable under the Scheme had the contributions of a Member been determined solely in accordance with the scale set out in Rule 9(1). Provided that the said capital sum shall not be less 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 Scheme since the date of his actual admission thereto and, if the Authority has in accordance with the Rules made any payment in respect of any period of antedating of membership or of added years, throughout that period.

Death after superannuation

24. If a retired Member dies without having received by way of superannuation allowance an amount equal to the capital 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 paragraph (3) of Rule 16, there shall be paid in accordance with Rule 25 an amount equal to the difference between the said capital sum and the amount received by way of superannuation allowance.

Payments in respect of deceased Members and annuitants

25.—(1) Any benefit expressed in the Rules to be payable in accordance with this Rule (hereinafter called "the said benefit") shall be paid or divided to or amongst such one or more of the Dependants of the Member living at the date of his death in such proportions as the Member may have nominated in the form set out in Appendix II to the Rules (or such other form as the Authority may from time to time determine).

(2) Failing such nomination as aforesaid, the said benefit shall be paid to the legal personal representative of the deceased Member on production to the Committee of probate, letters of administration or a confirmation granted by any court in the United Kingdom, which shall be sufficient authority for the payment of the said benefit 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 paragraph shall be made on production of a grant of probate or letters of administration or confirmation that has not been sealed with the Seal of the Principal Probate Registry in Northern Ireland save at the absolute discretion of the Authority and unless the sum payable has been included in the Inland Revenue Affidavit or Inventory.

(3) In the absence of such nomination or a personal representative of a deceased Member or annuitant if any sum payable under Rule 23 or Rule 24 does not exceed one hundred pounds the Committee may in their discretion pay that sum in the case of a male to his widow or child or other next of kin or any of them or in the case of a female to her next of kin or any of them without requiring a representative to be legally constituted, and neither the Committee nor the Fund shall be liable to make any further payment to any claimant in respect of the deceased Member or annuitant.

(4) Before paying any sum under this Rule to any person other than the 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 aforesaid but after deduction of debts and funeral expenses) does not exceed one hundred pounds; or

(*b*) the production of a certificate from the Ministry of Finance 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.

(5) For the purpose of this Rule the expression "Member" includes a person in receipt of an annuity, and the expression "Dependants" in relation to a

Member means a lawful wife of the Member, a parent of the Member, a sister, brother or child of the Member, a child of a deceased sister or deceased brother of the Member or a child of a deceased child of the Member. In this paragraph the expression "child" includes step-child and adopted child.

Widow's and dependant's pension option

26. As an alternative to the option for a joint annuity available under paragraph (1) of Rule 16, a Member may, by giving notice in writing to the Committee not later than the day immediately prior to that on which he becomes entitled to an annuity in accordance with the Rules, elect to surrender a portion of such annuity in order to provide for all or any one or more of his spouse and dependants then living a non-commutable and non-assignable deferred annuity or annuities of equivalent or total equivalent actuarial value payable during the life or respective lives of such person or persons from the date of his death:

Provided that:—

(*a*) the option conferred by this Rule shall not be exercisable by any Member unless he 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;

(*b*) the amount of the deferred annuity or aggregate amount of the deferred annuities payable to such person or persons shall not exceed the amount of the Member's said annuity as reduced by the portion surrendered and such amount or aggregate amount shall, subject to proviso (*c*) of this Rule, be determined by the Committee with the advice of the Actuary without regard to the state of health of the Member;

(*c*) in the case of an election being made in respect of an annuity, the payment whereof is to commence before the Member attains the age of 62 years in the case of a man or 57 years in the case of a woman, the Committee may as the result of an examination of the Member by the Medical Officer, which the Authority may in their absolute discretion require, reduce the amount of the deferred annuity or aggregate amount of the deferred annuities which would otherwise be payable to such person or persons, such reduction to be of an amount not exceeding that advised by the Actuary as being appropriate in the circumstances disclosed by such examination;

(*d*) if after the Member has retired such person or any of such persons shall predecease him then the reduced annuity and no more shall continue to be paid to the Member;

(*e*) should the Member die before retirement from the Service or should any such person or any of such persons predecease him before such retirement, the election shall automatically be cancelled and the benefits under the Rules shall be the same as they would have been if no such election had been made;

(*f*) should the Member die after leaving the Service and a deferred annuity or annuities becomes or become payable pursuant to this Rule any sum (except any balance of the Member's reduced annuity due to him) which but for this proviso (*f*) would be payable out of the Fund upon his death shall be retained in the Fund, and on the death of the person in receipt of the deferred annuity or the last of the persons in receipt of the deferred annuities (as the case may be) there shall be deducted from any such sum the amount or total amount of the deferred annuity or deferred

annuities paid, and the sum (if any) arrived at after such deduction shall be payable to the deceased Member's personal representative for distribution in accordance with any directions contained in the deceased Member's will or any codicil thereto as to the disposition of the said sum or of the residue of the testator's estate or (failing any such directions) to the personal representative of the aforesaid person or the last of the aforesaid persons; if there is no such representative, then the provisions of Rule 25 shall apply to the payment;

(*g*) the provisions of paragraphs 7(2), 12(1), (2) and (3), 14 and 15 of Appendix I shall apply to any Member and any person as aforesaid as if such person were a joint annuitant.

Resignation or dismissal

27.—(1) Subject to the provisions of paragraph (3) of this Rule and of Rule 29 any Member who, before becoming entitled to a superannuation allowance under the Rules, leaves 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 or under the Scheme.

Provided that, in the case of any Member dismissed from the Service for dishonesty or fraud, the Authority shall have a lien upon the amount of his contributions for any sums which may be due from him to the Authority, and subject to that lien the Authority on the advice of 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 Scheme (including the Fund) or the Authority.

(2) There shall be deducted from any payment made under this Rule an amount equal to any amount of income tax payable by the Authority in respect of that payment under or by virtue of Section 379 of the Income Tax Act 1952.

(3) (*a*) Where a Member leaves the Service because his services are no longer required otherwise than by reason of misconduct or incapacity being a Member who has not at the date of leaving the Service attained the age of 62 years in the case of a male or 57 years in the case of a female or having attained such age has not completed 10 years of membership he may with the assent of the Authority and of the Committee subject to repayment of any sums paid to or in respect of the Member under the Rules and provided that no payment has been made in respect of the Member by the Authority in lieu of graduated contributions under the National Insurance Act (Northern Ireland) 1959, remain a Member of the Scheme without further contribution under Rule 9.

(*b*) On the happening of any event in respect of which benefits would have been payable under the Rules had he not so left the Service, there shall be paid to or in respect of him as though membership without further contribution in accordance with this Rule were contributing membership, a benefit of an amount calculated in accordance with the Rules but for the purpose of such calculation the date of leaving the Service shall be substituted for the date of the happening of the event in respect of which benefits are payable. The provisions of Rule 16 shall apply as though membership without further contribution in accordance with this Rule were contributing membership.

(*c*) Provided that:—

(i) a Member may elect on or after attaining the age of 60 years in the case of a male or 55 years in the case of a female to have the provisions of paragraph (4) of this Rule applied;

(ii) in the application of Rules 17 and 18 to a Member to whom this Rule applies the words "by reason of being wholly or partially incapacitated from earning due to" shall be substituted for the words "in consequence of incapacity to perform his duties arising from";

(iii) if the Member shall again enter the Service and again become a contributing Member he shall be re-admitted to contributing membership on such terms as the Committee on the advice of the Actuary and with the assent of the Authority shall determine.

(*d*) If a Member to whom this paragraph applies takes up pensionable employment approved by the Authority and by the Committee in respect of which there are reciprocal arrangements for the preservation of pension rights before becoming entitled to a benefit in accordance with the Rules, and becomes a member of a superannuation fund approved or partially approved by the Commissioners of Inland Revenue under Section 32 of the Finance Act 1921 or under Section 379 of the Income Tax Act 1952 or a scheme approved for the purpose of this paragraph by the Commissioners of Inland Revenue there may be paid with the assent of the Committee and the Member in respect of him, to the trustees of such other scheme or such other body or persons who are entitled to receive the same, such a transfer value as shall be certified by the Actuary to be equivalent in value to the benefits specified in paragraph (*b*) of this paragraph, and in this connection the Actuary shall, if necessary, exclude from the transfer value the equivalent in value of any Preserved Annuity provided pursuant to Rule 87(4)(*a*).

Insofar as the amount of a transfer value under this paragraph exceeds the sum of the contributions actually paid by the Member to the Fund, excluding any portion thereof attributable to any Preserved Annuity as aforesaid as determined by the Actuary, it shall be deemed to be a contribution by the employer to the recipient scheme.

(4) Where a Member who having been a Member of the Scheme for 10 years or upwards leaves the Service on or after attaining the age of 60 years in the case of a male or 55 years in the case of a female and before attaining the age of 62 years in the case of a male or 57 years in the case of a female for any reason other than that specified in Rule 17(1) he shall subject to Rule 21 be entitled to receive instead of the amount which would normally be payable under paragraph (1) of this Rule a capital sum and an annuity for life calculated in accordance with Rule 15 but on the basis of the number of years during which he has been or is deemed to have been a Member of the Scheme at the date of his leaving the Service (not exceeding 40 years) reduced by 7·5 per centum for each year and proportionately for each part of a year by which his retirement precedes age 62 in the case of a male or age 57 in the case of a female and in this event the minimum annuity set out in Rule 19 shall be reduced in like proportion.

Transfer from a wages grade

28.—(1) Where a person is appointed from a wages grade of the Authority as a Salaried Officer and becomes a Member of the Scheme, the Authority may

receive in respect of him a transfer value payment from his previous pension scheme and where any sum is so received there shall be certified the proportion of that sum which represents the Member's own contributions to the previous pension scheme and that proportion only shall be deemed to be the Member's contribution to the Fund.

(2) Any amount or payment received in accordance with paragraph (1) of this Rule shall be applied in increasing the benefits provided by the Scheme for or in respect of the Member to such extent and in such manner as the Committee shall with the advice of the Actuary and the assent of the Authority determine.

Transfer to outside Employment

29.—(1) The provisions of this Rule shall apply in the case of a Member who has been a Member of the Scheme for 5 years or upwards and who leaves the Service and within twelve months takes up pensionable employment approved by the Authority and by the Committee in respect of which there are reciprocal arrangements for the preservation of pension rights, being a Member who has not at the date of leaving the Service attained the age of 62 years in the case of a male or 57 years in the case of a female, or having attained such age has not completed 10 years of membership of the Scheme.

(2) Subject to repayment to the Fund of any sums paid to or in respect of the Member under the Rules and provided that no payment has been made in respect of the Member by the Authority in lieu of graduated contributions under the National Insurance Act (Northern Ireland) 1959, then a Member to whom this Rule applies may remain a Member of the Scheme without further contribution under Rule 9 and on his attaining the age of 65 years in the case of a male or 60 years in the case of a female, or on the happening of any other event in respect of which benefits would have been payable under the Rules (except Rules 17, 18 and 27(4)) if he had not so left the Service there shall be payable to or in respect of such Member as though membership without further contribution in accordance with this Rule were contributing membership, a benefit of an amount calculated in accordance with the Rules but for the purpose of such calculation the date of leaving the Service shall be substituted for the date of the happening of the event in respect of which benefits are payable. The provisions of Rule 16 shall apply as though membership without further contribution in accordance with this Rule were contributing membership, but Rule 19 shall not apply:

Provided that—

(*a*) if he so requests he may, with the assent of the Committee, receive the benefit before attaining the age of 65 years but not earlier than the age of 55 years in the case of a male, or before attaining the age of 60 years but not earlier than the age of 50 years in the case of a female, of an amount certified by the Actuary to be equivalent at the date of retirement to the value of the benefit that would have been payable from age 62 years in the case of a male or 57 in the case of a female;

(*b*) if the Member shall again enter the Service and again become a contributing Member he shall be re-admitted to contributing membership on such terms as the Committee on the advice of the Actuary and with the assent of the Authority may determine;

(*c*) if he becomes a member of a superannuation fund approved or partially approved by the Commissioners of Inland Revenue under Section 32 of the Finance Act 1921 or under Section 379 of the Income Tax Act 1952 or a scheme approved for the purpose of this Rule by the Com-

missioners of Inland Revenue there may be paid with the assent of the Committee and the Member in respect of him to the trustees of such other scheme or such other body or persons who are entitled to receive the same, such a transfer value as shall be certified by the Actuary to be equivalent in value to the benefits specified in this paragraph, and in this connection the Actuary shall, if necessary, exclude from the transfer value the equivalent in value to any Preserved Annuity provided pursuant to Rule 87(4)(*a*).

Insofar as the amount of a transfer value under proviso (*c*) exceeds the sum of the contributions actually paid by the Member to the Fund, excluding any portion thereof attributable to any Preserved Annuity as aforesaid as determined by the Actuary, it shall be deemed to be a contribution by the employer to the recipient scheme.

Transfer from Outside Employment

30.—(1) Where a person becomes a Member of the Scheme and was previously a member of another pension or benefit fund or scheme, having ceased to belong thereto by virtue of cessation of his previous employment, the Authority may receive in respect of him either:—

(*a*) any amount received by him from such other pension or benefit fund or scheme; or

(*b*) any payment made direct to the Authority from such other pension or benefit fund or scheme;

and where any sum is so received there shall be certified the proportion of the sum which represents the Member's own contributions and that proportion only shall be deemed to be the Member's contribution to the Fund.

(2) Any amount or payment received in accordance with paragraph (1)(*a*) or (1)(*b*) of this Rule shall be applied in increasing the benefits provided by the Scheme to such extent and in such manner as the Committee shall with the advice of the Actuary and the assent of the Authority determine.

Dates of payment of annuities

31. All annuities shall be payable monthly on the last day of each month, an apportioned payment being made for any period less than a month.

Deduction of Income Tax and Estate Duty from benefits

32. Income Tax will be deducted from annuities at the full standard rate for the time being in force unless permission is obtained from the Commissioners of Inland Revenue for payment without deduction of tax or subject to deduction of tax at less than the standard rate. The Authority may also deduct from any benefit payable upon or in respect of the death of a person in receipt of or entitled to a benefit under the Rules the amount of any Estate or other duty payable by reason of such death, and shall account to the Estate Duty Office for any amount so deducted.

Overpayment of benefits

33. In the event that any amount is for any reason whatsoever paid to a person in receipt of or entitled to a benefit under the Rules in excess of that to which such person is entitled in accordance with the Rules, then the Authority may deduct the amount so overpaid from any subsequent payments thereafter due to such person or thereafter due or payable to any other person who

derives his entitlement to a benefit under the Rules from the first mentioned person but without prejudice to the right of the Authority to enforce repayment of the sum overpaid forthwith or at any later date against the first mentioned person or his legal personal representatives or any other person to whom the amount was so overpaid.

Lien

34. All benefits payable under the Rules are subject to deduction of any amounts owing by the person entitled thereto or in receipt thereof to the Fund.

Claims of Members and others on Fund

35. Save as prescribed by the Rules no Member or other person shall have any claim upon the Fund.

GENERAL

Membership to continue during Service

36. Every Salaried Officer who becomes a Member shall so long as he remains in the Service as a Salaried Officer continue to be a Member and shall be bound in all respects by the Rules.

Medical examination

37. A Salaried Officer who fails to pass a medical examination to the satisfaction of the Committee shall not be admitted to membership of the Scheme. Provided that—

(*a*) members of the Existing Schemes shall not be required to pass a medical examination before being admitted to membership of the Scheme; and

(*b*) the Committee may with the assent of the Authority 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 Authority.

Proof of age and production of evidence and information

38.—(1) On a Salaried Officer becoming a Member he shall furnish to the Committee proof to the satisfaction of the Committee of the date of his birth and if it shall at any time be found that the age of the Member has been incorrectly stated the contributions and/or benefits under the Rules as applicable to him may be modified by the Committee on the advice of the Actuary.

(2) Any Member or any person in receipt of or entitled to a benefit under the Rules shall be bound to produce such evidence and information as may be required by the Committee for the purposes of the Scheme.

Benefits not assignable

39. An annuity or other sum payable under the Rules shall be payable to or in trust for the person entitled thereto. No Member or recipient from the Fund shall assign, charge or otherwise alienate any benefits to which he is or may become entitled or may be receiving under the Rules. In the event of any purported assignment, charge or alienation of such benefits the Authority shall not be under obligation to make any payments under the same but may at their absolute discretion in any case where there exists financial hardship determine from time to time to pay the benefits or any part thereof either to the Member or any one or more of his dependants or to or in trust for him or

them and in such event the Scheme and the Authority shall be discharged from all liability in respect of any such funds paid, provided that no payment under this Rule shall be made to any purported assignee.

Liability as to Expenses

40. The expenses from time to time incurred in investing any moneys or in transposing or varying investments (including any commission or brokerage or fees payable to stockbrokers or other advisers or agents) pursuant to Rule 43 shall be borne by and paid by the Authority out of such moneys or out of the proceeds of sale of any such investments or other moneys of the Fund. Save as aforesaid all costs, charges and expenses of or incidental to the establishment, administration and management of the Scheme including the Fund shall be paid by the Authority from time to time as the same shall be incurred.

Dismissal of employees

41. Nothing contained in the Rules shall in any way restrict or fetter the right of the Authority to terminate the service of any employee.

Committee to determine questions of eligibility

42. Any question arising as to whether any officer or servant of the Authority is or is not a Salaried Officer shall be determined by the Committee.

Powers of Authority

43. The Authority shall have and may from time to time exercise in the performance of their duties in relation to the Fund and otherwise for the purposes of the Scheme and the Fund all or any of the following powers, that is to say:—

(*a*) Power in their absolute discretion in respect of any capital moneys forming part of the Fund or of any income of the Fund and contributions paid to the Fund pursuant to the Rules which shall not be presently required for making any payment thereunder (as and when the same respectively shall be received by the Authority) to invest the same in or upon the investments for the time being authorised by law for the investment of trust moneys.

(*b*) Power to authorise in writing such person or persons as the Authority shall think fit to give receipts and discharges for any moneys or other property payable, transferable or deliverable to the Authority and so that every such receipt or discharge shall be as valid and effectual as if it were given by the Authority. The production of a written authority of the Authority as aforesaid shall be sufficient protection to any person taking any such receipt or discharge as aforesaid and unless such person shall have received express notice in writing of the revocation of such authority he shall be entitled to assume and act on the assumption that the authority remains unrevoked.

(*c*) Power to obtain the advice of an Actuary or a firm of Actuaries (being a Fellow or a firm of Fellows of the Institute of Actuaries in England or of the Faculty of Actuaries in Scotland) and of Solicitors, Accountants and other advisers upon such terms as to duties and remuneration as may be approved by the Authority, and so that neither the Authority nor the Committee shall be chargeable or accountable in respect of any calculation, determination, payment or other matter or thing made, done or omitted by the Authority or the Committee upon the advice of the Actuary or of any of such other persons as aforesaid so consulted.

COMMITTEE

Composition of Committee

44. Subject to the provisions of the Rules, the management and direction of the Scheme shall be vested in a committee of six persons (of whom three shall be Authority's Committee-men and three Contributors' Committee-men) who shall be appointed or elected as hereinafter provided.

Appointment of Authority's Committee-men

45. The Authority's Committee-men shall from time to time be appointed by the Authority, and the qualifications, appointment and retirement of the Authority's Committee-men shall from time to time be regulated by the Authority.

Provisional Committee

46. Until the election of the Contributors' Committee-men the Transport Salaried Staffs Association and the Authority shall each nominate three persons who shall act as a provisional committee of the Scheme 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 Committee-men shall with the necessary modifications have effect in relation to the provisional committee and to the persons nominated under this Rule.

Election of Contributors' Committee-men

47. The Contributors' Committee-men shall be elected by the Members in accordance with the following provisions:—

(*a*) The qualifications of a Contributors' Committee-man 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 1965 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 at the various offices, depots and stations of the Authority;

(ii) Each nomination shall (except in the case of a retiring Contributors' Committee-man who offers himself for re-election) be signed by at least 10 Members;

(iii) A retiring Contributors' Committee-man 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 January (or within the first 10 days of such other month as the Committee may in its absolute discretion determine at any time and from time to time) in the year 1965 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 59;

(*d*) If 3 candidates and no more are nominated those candidates shall be deemed to be duly elected without further formality;

(*e*) If more than 3 candidates are nominated the election of the Contributors' Committee-men or if less than 3 candidates are nominated the appoint-

ment of the requisite number of candidates to complete the number of the Contributors' Committee-men 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, depot, station or place where he is employed or paid by the Authority, 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 Contributors' Committee-men 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 Contributors' Committee-men by death, resignation or otherwise, the vacancy shall be filled by a person co-opted by the other Contributors' Committee-men, 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 Contributors' Committee-men 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 Scheme or until some other person is elected in his stead under the Rules.

Chairman of Committee

48. The chairman of the Committee shall be one of the Authority's Committee-men.

Procedure of Committee

49. The procedure of the Committee shall, except as provided by the Rules, be regulated from time to time by the Committee.

Claims on Scheme

50. The Committee shall decide on all claims made upon the Scheme and their decision shall be final.

Decision on questions of fact

51. 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

52. Three members of the Committee (of whom not less than one shall be an Authority's Committee-man and not less than one a Contributors' Committee-man) shall constitute a quorum, and no business shall be transacted at any meeting of the Committee unless a quorum be present.

Decisions of Committee

53. 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

54. The Committee may exercise its powers during and notwithstanding any casual vacancy in its body.

GENERAL MEETINGS

Annual Meeting

55. An Annual Meeting shall be held 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 Scheme, except that the first Annual Meeting shall be held in the year 1965.

Notice of resolution

56. Any Member desiring to move a resolution at the Annual Meeting relating to the affairs or administration of the Scheme shall not later than two months (or such lesser period as the Committee may determine in any particular case) prior to the date of the meeting give to the Secretary notice in writing signed by the Member and setting forth the proposed resolution.

Extraordinary Meeting

57. 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

58. 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

59.—(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 Scheme and of any special report made by the Auditors under Rule 83.

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

Chairman of General Meeting

60. The chairman of every General Meeting shall be the chairman of the Committee or an Authority's Committee-man.

Quorum at General Meeting

61. Ten 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.

Adjournment of meetings in absence of quorum

62. 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.

Resolutions at General Meetings

63. 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.

Voting at General Meetings

64.—(1) Each Member present at a General Meeting shall have one vote and no person other than a Member shall vote thereat. Provided that an Authority's Committee-man 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.

How Poll to be taken

65. 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.

Proxies

66. 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.

Form of proxy

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

"I a Member of the Ulster Transport Authority Salaried Staff Superannuation Scheme hereby appoint of another Member of the Scheme to act as my proxy at the General Meeting to be held on the day of and at any adjournment of that meeting.

Signed this day of ."

Revocation of proxy

68. 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

69. 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

70. 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

71. Minutes of the proceedings of every General Meeting shall be recorded by the Secretary in a book being either a bound book or subject to suitable safeguards as determined by the Committee, 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 failing him 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

72. The Members in General Meeting shall have no powers except such as are conferred upon them expressly or by implication by the Rules.

OFFICERS

Appointment of Secretary

73. The Committee shall from time to time appoint, subject to the assent of the Authority, one of the staff of the Authority to be the Secretary of the Scheme, 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 Authority in his stead.

Remuneration of Secretary

74. The remuneration (if any) of the Secretary and any other person appointed by the Authority or by the Committee (with the assent of the Authority) to perform services in connection with the Scheme shall be determined by the Committee, with the assent of the Authority, and the said remuneration and any office expenses approved by the Authority shall be paid by the Authority.

Duties of Secretary

75. The Secretary shall—

(*a*) keep the records, books and papers relating to the Scheme and the business thereof;

(*b*) receive and report to the Committee all applications for membership of the Scheme 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 Scheme as the Committee may from time to time direct.

Temporary substitute for Secretary

76. The Committee may at any time appoint, subject to the assent of the Authority, a temporary substitute for the Secretary.

Auditors

77. The auditors to the Scheme shall be appointed from time to time by the Committee, and any Auditors appointed by the Committee may be removed by the Committee at any time. The terms and conditions of the appointment of Auditors shall on the occasion of each appointment be subject to the agreement of the Authority. Section 155 of the Companies Act (Northern Ireland) 1960 shall apply to the appointment of auditors as if the Scheme were a company within the meaning of that Act.

Actuary

78. The Committee with the assent of the Authority shall appoint an actuary or actuaries, being a Fellow or firm of Fellows of the Institute of

Actuaries in England or of the Faculty of Actuaries in Scotland, to hold office so long as the Committee with the like assent shall determine, who shall (inter alia) make an investigation of the financial position of the Fund as at the 31st December 1966 and thereafter at intervals of 5 years or such less interval as the Committee with the like assent shall determine and shall report thereon to the Committee who shall furnish a copy of the report to the Authority.

ACCOUNTS AND AUDIT

Accounts to be kept

79. The Committee shall cause to be kept full and true accounts of the Fund and of all sums of money expended under the Rules and shall cause to be kept full and complete records of all matters necessary or proper to be recorded.

Inspection of records

80. The Committee may in their discretion on the written request of a Member authorise the inspection by him of the records of the Scheme.

Books of Fund and balance sheet

81. The books of the Fund shall be balanced as at the 31st day of December in each year and a balance sheet shall forthwith be made up which will contain 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 day of December 1964.

Accounts to be delivered to Auditors

82. 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 Authority, the Committee and the Secretary shall give to the Auditors all assistance and information in their power.

Duty of Auditors

83. 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

84. 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

85. A copy of the Rules shall be supplied to every Member.

Alteration of Rules

86.—(1) The Authority may, after taking the advice of the Committee, request the Ministry to amend the Rules.

(2) The Ministry may, after consultation with the Committee and the Actuary, make such changes in the benefits of the Members and in the contributions by the Authority and by the Members as are expedient to make good deficiencies in the Fund or to ensure that surpluses will be used for the purposes of the Fund.

(3) No amendment of the Rules shall be made which would have the effect of decreasing any pension being paid at the date of such amendment or of otherwise placing any person who is a Member at the date of such amendment in a worse position than he would have been had the amendment not been made.

THE NATIONAL INSURANCE ACT (NORTHERN IRELAND) 1959

Contracting-out

87.—(1) This Rule relates to Members all or a part of whose period of service with the Authority is or has been covered by a Certificate of Non-participation issued by the Registrar of Non-participating Employments under Section 6 of the National Insurance Act (Northern Ireland) 1959. Where applicable the provisions of this Rule shall take effect notwithstanding anything elsewhere contained or implied in the Rules.

(2) The following expressions shall have the meanings assigned to them:—

(*a*) "Non-participating Employment" of a Member means service of a Salaried Officer during which he is a Member and there is in force a Certificate of Non-participation issued to the Authority by the Registrar of Non-participating Employments under Section 6 of the National Insurance Act (Northern Ireland) 1959, which is applicable to the Member, excluding, however, any part of such service in respect of which there is no contribution liability under the National Insurance Act (Northern Ireland) 1946 and which the Authority to the extent that the discretion afforded to it by the National Insurance Act (Northern Ireland) 1959 permits shall determine is to be excluded. "Non-participating Employment" shall also include any period of service completed by a Member with any employer during which there was in force a Certificate of Non-participation issued to that employer by the Registrar of Non-participating Employments under Section 6 of the National Insurance Act (Northern Ireland) 1959, or the Registrar of Non-participating Employments under Section 7 of the National Insurance Act 1959, which was applicable to the Member and in respect of which the liability adopted by the Authority qualifies him for equivalent pension benefits under the Scheme within the meaning of and so as to bring into operation Section 8(4) of the National Insurance Act (Northern Ireland) 1959, or Section 9(4) of the National Insurance Act 1959.

(*b*) "Contracted-out Member" means any Member whose service shall at any time be or have been Non-participating Employment.

(*c*) "Payment-in-lieu" means the contribution made to the National Insurance Fund in respect of Non-participating Employment in lieu of contributions as specified in Section 6(3) of the National Insurance Act (Northern Ireland) 1959.

(*d*) "Preserved Annuity" means in respect of a Contracted-out Member an annuity payable for life from the date on which the Contracted-out Member attains the age of 65 years (if male) or 60 years (if female) or from the date of retirement from or leaving the Service, whichever shall be the later, the amount of which shall be equal to the minimum equivalent pension benefits (as defined in Part II of the National Insurance Act (Northern Ireland) 1959) in respect of his period of Non-participating Employment.

(3) In the event of an annuity commencing to be payable to a Contracted-out Member before the age of 65 years (if male) or 60 years (if female) the amount of such annuity during the period until the Contracted-out Member

attains the age of 65 years (if male) or 60 years (if female) shall, if the Authority so determines, be so reduced that the actuarial value of the reduced annuity payable up to the age of 65 years (if male) or 60 years (if female) with that of the Preserved Annuity shall be equal to the actuarial value of the amount of the annuity which would have commenced to be payable apart from this provision, the actuarial values in each case to be determined by the Actuary. Provided that the provisions of this paragraph (3) shall not apply to an annuity payable under Rule 18 or Rule 19.

(4) (*a*) If a Contracted-out Member's period of Non-participating Employment ceases for any reason other than death and the Contracted-out Member would not apart from this provision be entitled to an annuity under the Rules upon such cessation, then notwithstanding any other provisions of the Rules the Contracted-out Member shall (unless the Authority thereupon decides to make a Payment-in-lieu in any case where a Contracted-out Member's period of Non-participating Employment ceases before the age of 65 years, if male, or 60 years, if female) be entitled to a Preserved Annuity and any sum which would otherwise be payable under Rule 27(1) shall be reduced by an amount equal to one-half of the Payment-in-lieu which would otherwise have been payable by the Authority.

(*b*) If, in the circumstances described in the immediately preceding provision, the Authority decides to make a Payment-in-lieu the Authority may deduct from the sum which would otherwise be payable to the Contracted-out Member under Rule 27(1) an amount equal to one-half of the Payment-in-lieu and pay out of the Fund to itself the lesser of a sum equal to such amount and the accumulated amount paid to the Fund by and in respect of the Contracted-out Member (as determined by the Actuary) provided that the Authority may determine to retain the aforesaid deduction in the Fund and reduce its next contribution to the Fund by an amount equal to the lesser of a sum equal to the aforesaid deduction and the accumulated amount paid to the Fund by and in respect of the Contracted-out Member (as determined by the Actuary).

(5) The annuity payable to a Contracted-out Member shall from the age of 65 years (if male) or 60 years (if female) or from the date of retirement from or leaving the Service, whichever shall be the later, in no circumstances be less than the Preserved Annuity.

(6) Any provision in the Rules for the commutation, surrender, forfeiture, restriction, reduction or retention in respect of a pension or any option available to a Contracted-out Member to accept a reduced pension on his own life or any alternative benefit shall except to the extent otherwise permitted by the National Insurance Act (Northern Ireland) 1959 or any Regulations made pursuant thereto be restricted so that the amount of pension payable to such Contracted-out Member under the Rules shall not be less than the Preserved Annuity.

(7) In the event of the provisions of the Rules being amended the provisions of Regulation 15 of the National Insurance (Non-participation Certificates) Regulations (Northern Ireland) 1960 shall be complied with.

Maximum Benefits

Inland Revenue Limitations

88.—(1) Notwithstanding anything elsewhere contained or implied in the Rules the amount of a Member's annuity shall not exceed

(*a*) an amount (after taking into account the annuity equivalent of any capital sum payable to the Member under the Rules and the annuity or annuity equivalent of any benefits provided for the Member under any other retirement benefits schemes of the Authority or to which the Authority and its predecessors have contributed) equal to two-thirds of the Final Remuneration as defined in paragraph (4) of this Rule) of the Member at retirement from or leaving the Service, being retirement from or leaving the Service not later than the date on which the Member attains the age of 62 years in the case of a male or 57 years in the case of a female; or

(*b*) such lesser amount as the Commissioners of Inland Revenue may from time to time determine for the purpose of this Rule.

If and when it first appears in respect of any Member that if normal contributions are continued either of the limitations mentioned in this paragraph would be exceeded the Authority shall on the advice of the Actuary make such appropriate adjustment of the benefits in respect of and the contributions payable by and/or in respect of the Member as shall be necessary to render such limitations effective. Adjustment of contributions shall be made as far as possible by level annual reductions over the remainder of the period of membership to the date on which the Member would attain the age of 62 years in the case of a male or 57 years in the case of a female.

(2) Notwithstanding anything elsewhere contained or implied in the Rules, otherwise than in Rule 20, not less than three-quarters of the aggregate value of the total benefits to which a Member may become entitled under the Rules and all other retirement benefits schemes of the Authority or to which the Authority and its predecessors have contributed shall be taken in the form of a wholly non-commutable and non-assignable life annuity. Accordingly, any capital sum payable under the Rules to a Member on retirement from or leaving the Service shall, if necessary, be restricted in amount to give effect to the limitation contained in this paragraph, and the amount by which such capital sum is restricted shall be payable to the Member in the form of a wholly non-commutable and non-assignable life annuity, the amount whereof to be determined by the Authority on the advice of the Actuary, and shall be treated for the purposes of the Rules as an augmentation of the normal annuity to which the Member has become entitled under the Rules upon retirement from or leaving the Service.

(3) In the event of a Member retiring from or leaving the Service after the date on which the Member attains the age of 62 years in the case of a male or the age of 57 years in the case of a female, the limitations referred to in paragraphs (1) and (2) of this Rule shall be increased to such amounts as are appropriate, to be determined by the Authority on the advice of the Actuary having regard to the age of the Member at the date of retirement from or leaving the Service.

(4) For the purpose of this Rule the expression "Final Remuneration" in relation to a Member means the greater of the following:—

(*a*) Total Remuneration (as hereinafter defined in this paragraph) at the date on which the Member retires from or leaves the Service;

(*b*) the yearly average of the total actual emoluments of any three or more consecutive years within the ten years ending at the date on which the Member retires from or leaves the Service.

The expression "Total Remuneration" in relation to a Member means actual salary for the year ending on the date in question plus the yearly average of other emoluments for the three or more preceding years, or for such shorter period during which such emoluments have been receivable.

APPENDIX I

REGULATIONS AS TO JOINT ANNUITIES

(Rule 16)

Amount of joint annuities

1. The annuity (in this Appendix referred to as the "Normal Annuity") payable in accordance with the Rules to a Member upon retirement may be converted—

(*a*) in the case of a male Member and his wife, into a joint annuity in accordance with the table and conditions set out in the next following paragraph;

(*b*) in the case of a Member and a dependent Relative, into a joint annuity of such amount or amounts as shall be determined by the Committee with the advice of the Actuary.

Table of joint annuities in case of Member and wife

2. In the case of a male Member and his wife, a Normal Annuity may be converted into a joint annuity in accordance with the following table and conditions:—

(A) ANNUITY PAYABLE TO RETIRED MEMBER

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

(1) 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.

(2) If the wife of a retired Member dies before him, the annuity payable to him (calculated in accordance with this table) shall continue unaltered in amount.

(B) ANNUITY PAYABLE TO THE SURVIVING WIDOW

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.

Application before age 57

3.—(1) A Member may not apply for a joint annuity until he attains the age of 56 years and 6 months.

(2) A Member who applies for a joint annuity before he attains the age of 57 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 57 years, withdraw the application.

Application after age 59½

4. A Member to whom a joint annuity has not been granted upon an application made in accordance with sub-paragraph (2) of paragraph 3 or a Member the whole of whose Normal Annuity has not been converted into a joint annuity upon an application made under the provisions of that sub-paragraph may on or after attaining the age of 59 years and 6 months but before retiring from the Service apply for a joint annuity which 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.

Death of Member over 60 *whilst in the Service*

5. If a Member to whom a joint annuity has been granted shall die whilst in the Service after he attains the age of 60 years a joint annuity shall be paid out of the Fund to the joint annuitant as if the Member had retired from the Service on the day before that on which he died.

Female Members

6. In the application of paragraphs 3, 4 and 5 to a female Member the provisions of those paragraphs shall have effect as if the ages mentioned therein were reduced by 5 years.

Death of joint annuitant before Member's retirement

7.—(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.

(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.

Member retiring on account of incapacity

8. If a Member whose application for a joint annuity has been granted retires from the Service, in the case of a male before attaining the age of 62 years and in the case of a female before attaining the age of 57 years, in consequence of incapacity to perform his duties arising from accident or mental or physical infirmity, the granting of the application shall upon his retirement be revoked.

Requests for revocation of joint annuities

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

(*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 Authority 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 his health is reasonably satisfactory, having regard to his age, and that his expectation of life is normal.

Joint annuities irrevocable

10. Except as expressly provided by this Appendix the granting of an application for a joint annuity shall be irrevocable.

Rights of Member on revocation

11. On the revocation in accordance with the provisions of this Appendix 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 retires from the Service but the retired Member shall repay to the Fund the amount of any joint annuity received by him.

Requirements in connection with applications

12.—(1) An application for a joint annuity shall be in writing signed by the Member and shall be sent to the Secretary.

(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 the provisions of this Appendix 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 the provisions of this Appendix shall not be thereby precluded from making a further application provided that the further application complies with the requirements of this Appendix.

Conversion of part or proportion of Normal Annuity

13.—(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.

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 higher 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.

Evidence of life, etc.

14. After an application for a joint annuity has been granted, the Committee may, if they think fit, require:—

(*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.

Payment of person under disability

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

APPENDIX II

(Rule 25)

ULSTER TRANSPORT AUTHORITY SALARIED STAFF SUPERANNUATION SCHEME

FORM OF NOMINATION

TO: ULSTER TRANSPORT AUTHORITY

*Insert full name and address in Block Capitals

I,* ..... of .... being a Member of the Ulster Transport Authority Salaried Staff Superannuation Scheme hereby revoke any former Forms of Nomination heretofore signed by me and nominate the person(s) whose particulars are set out in Columns 1, 2 and 3 below, being a Dependant(s) of me as defined in Condition 9 on the back hereof, as the person(s) to whom I wish that any benefit payable under Rule 16(4)(*a*) or 23 or 24 of the Rules of the said Superannuation Scheme in the event of my death shall be paid in the proportions set out opposite their respective names in Column 4 below, subject to the written consent of Ulster Transport Authority and the Conditions set out on the back hereof.

1. Full Name	2. Address(es)	3. Particulars (Set out relationship or state circumstances, as the case may be)	4. Proportion of Benefit (This column need not be completed if only one person is nominated)

Dated this.....day of....., 19.....

We hereby consent to the aforesaid nomination:

For Ulster Transport Authority

Signature of Member .....

Signature of Witness .....

Address of Witness: .....

.....

Dated....., 19....

For Conditions see back.

CONDITIONS

1. This Form of Nomination when completed, signed and witnessed should be sent to Ulster Transport Authority ("the Authority") and will not become effective until it is received by the Authority and the written approval of the Authority is given overleaf.

2. If a Member wishes to revoke or alter this Form of Nomination, a new Form of Nomination must be signed. Any revocation or alteration is subject to the written approval of the Authority.

3. If a Member sends this Form of Nomination to the Authority and does not receive notice of the Authority's approval or otherwise within one month, the Member should make enquiries as to whether the Authority has received the Form.

4. Marriage of the Member will automatically revoke this Form of Nomination.

5. If

(*a*) only one person is nominated and that person predeceases the Member or

(*b*) two or more persons are nominated and all such persons predecease the Member,

then the nomination shall be of no effect and the benefits shall be payable as if the Member had failed to make such nomination.

6. If one or more of the persons nominated predeceases the Member leaving one or more of the persons nominated surviving the Member all the benefits shall accrue to such survivor or survivors and if more than one, in accordance with their respective proportions.

7. If a person nominated is an infant at the time when he or she becomes entitled to receive the whole or any proportion of the benefits, a receipt therefor signed by a parent of such infant (or if neither parent shall be living by a legal guardian) shall be a good and sufficient receipt for all purposes.

8. This Form of Nomination will be regarded by the Authority as strictly confidential.

9. The expression "Dependants" in relation to a Member means a lawful wife of the Member, a parent of the Member, a sister, brother or child of the Member, a child of a deceased sister or deceased brother of the Member or a child of a deceased child of the Member. In this paragraph the expression "child" includes step-child and adopted child.

EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations provide for the establishment and administration of a superannuation scheme for salaried grades employed by the Ulster Transport Authority. The terms and conditions of the scheme are prescribed in the Rules scheduled to the Regulations.