

**1965 No. 529**  
**CIVIL AVIATION**

**The Air Corporations (General Staff, Pilots and Officers Pensions) (Amendment) Regulations 1965**

*Made - - - - - 18th March 1965*

*Coming into Operation 25th March 1965*

The Minister of Aviation in exercise of his powers under section 21 of the Air Corporations Act 1949(a), as amended(b), and of all other powers enabling him in that behalf hereby makes the following Regulations :—

1.—(1) The Joint Pension Scheme established and maintained by virtue of the Airways Corporations (Pensions) Regulations 1948 to 1963(c) shall be in accordance with the provisions of the Trust Deed and amending Deeds, copies of which are set out in the Schedules to those Regulations, as further amended by a Deed dated 1st March 1965 a copy of which is set out in the Schedule to these Regulations.

(2) The said Deed dated 1st March 1965 is accordingly confirmed and shall come into operation on 25th March 1965.

(3) Part IV of the Rules scheduled to the said Trust Deed as amended shall not apply to any person who becomes a member of the said Scheme on or after the date on which these Regulations come into operation.

2.—(1) These Regulations shall come into operation on 25th March 1965, and may be cited as the Air Corporations (General Staff, Pilots and Officers Pensions) (Amendment) Regulations 1965.

(2) These Regulations—

(a) shall be construed as one with the Airways Corporations (General Staff Pensions) Regulations 1948(d) ;

(b) may be cited together with the Air Corporations (Pensions) Regulations 1948 to 1963 and the Airways Corporations (General Staff, Pilots and Officers Pensions) (Amendment) (No. 2) Regulations 1963 as the Air Corporations (Pensions) Regulations 1948–1965.

3. The Interpretation Act 1889(e) shall apply for the purpose of the interpretation of these Regulations as it applies for the purpose of the interpretation of an Act of Parliament.

*F. J. Doggett,*

An Under-Secretary of the  
Ministry of Aviation.

18th March 1965.

(a) 12, 13 & 14 Geo. 6. c. 91.

(b) There is no amendment which relates to the subject-matter of these Regulations.

(c) S.I. 1948/2361 (Rev. I, p. 1275; 1948 I, p. 437); 1950/2056, 1951/527, 1953/611, 1296, 1956/305, 1957/87, 1959/42, 1961/445, 1963/1068, 1108, (1950 I, p. 341; 1951 I, p. 243; 1953 I, pp. 227, 231; 1956 I, p. 452; 1957 I, p. 395; 1959 I, p. 687; 1961 I, p. 1089; 1963 II, pp. 1842, 1868). (d) S.I. 1948/2361 (Rev. I, p. 1275; 1948 I, p. 437). (e) 52 & 53 Vict. c. 63.

## SCHEDULE

THIS DEED is made the First day of March One thousand nine hundred and sixty five BETWEEN BRITISH OVERSEAS AIRWAYS CORPORATION whose principal office is situate at London (Heathrow) Airport Hounslow in the County of Middlesex and BRITISH EUROPEAN AIRWAYS CORPORATION whose principal office is situate at Bealine House Ruislip in the County of Middlesex (hereinafter called "the Corporations") of the first part Rankin Lorimer Weir Reginald Charles Amoore John Douglas Elliott Derek Harding Glover John William Hawkins Cyril Alfred Herring Charles George Klimcke Angus John Dore Betts John Oxford Denis Ives Peacock John Charles William Springbett Frank Charles Teague the Management Trustees for the time being of The Airways Corporations Joint Pension Scheme (hereinafter called "the Management Trustees") of the second part and AIRWAYS CORPORATIONS JOINT PENSION FUND TRUSTEES LIMITED (hereinafter called "the Custodian Trustees" which expression shall include the Custodian Trustees for the time being) of the third part and is SUPPLEMENTAL to the various Deeds set out in the Schedules to the Air Corporations (Pensions) Regulations 1948 to 1963

## WHEREAS:—

(1) The parties hereto are desirous of effecting certain amendments to the Rules of Part IV and Part V of The Airways Corporations Joint Pension Scheme insofar as the said Rules affect Officers

(2) At a meeting of the Management Trustees held on the 22nd day of January One thousand nine hundred and sixty five the said REGINALD CHARLES AMOORE and the said JOHN DOUGLAS ELLIOTT were appointed by the Management Trustees to execute this Deed in accordance with the provisions of Clause 18 of the Trust Deed of The Airways Corporations Joint Pension Scheme

## IT IS NOW HEREBY AGREED AND DECLARED as follows:—

1. In this Deed the expression "Part IV Rules—Officers' Option A" shall mean the Rules of Part IV set out in the Schedule to the Deed a copy of which is set out in the Schedule to the Airways Corporations (General Staff, Pilots and Officers Pensions) (Amendment) Regulations, 1957 as heretofore amended insofar as the said Rules as so amended are applicable to Officers

2. In this Deed the expression "Part V Rules—Officers' Option A" shall mean the Rules of Part V set out in the Third Schedule to the Deed a copy of which is set out in the Schedule to the Air Corporations (General Staff, Pilots and Officers Pensions) (Amendment) (No. 2) Regulations 1963 insofar as the said Rules are applicable to Officers

3. The Rules set out in the First Schedule to this Deed shall be known as "Part IV Rules—Officers' Option B"

4. The Rules set out in the Second Schedule to this Deed shall be known as "Part V Rules—Officers' Option B"

5. Officers who on the date upon which this Deed comes into force are subject to Part IV Rules—Officers' Option A and Pensioners who on the First day of April One thousand nine hundred and sixty one were Officers subject to Part IV Rules—Officers' Option A and were not subsequently subject to Part V Rules—Officers' Option A shall subject to compliance with the requirements of Rule 19(g) of Part IV Rules—Officers' Option B be entitled by giving notice to reach the Secretary on or before the date six months after the date on which this Deed comes into force to elect to become subject to the Part IV Rules—Officers' Option B in lieu of the said Part IV Rules—Officers' Option A

6. Officers who on the date upon which this Deed comes into force are subject to Part V Rules—Officers' Option A and Pensioners who were Officers subject to Part V Rules—Officers' Option A shall subject to compliance with the requirements of Rule 20(m) of Part V Rules—Officers' Option B be entitled by giving notice to reach the Secretary on or before the date six months after the date on which this Deed comes into force to elect to become subject to the Part V Rules—Officers' Option B in lieu of the said Part V Rules—Officers' Option A

7. The Part V Rules—Officers' Option A shall not apply to any person who becomes a Member of the Scheme on or after the date upon which this Deed comes into force

8. Save as expressly altered amended or varied hereby the Trust Deed and the Schedules thereto as heretofore amended shall continue and remain in force and shall have effect as if the alterations amendments or variations herein set out were where applicable inserted therein

9. This Deed is conditional on its being confirmed by Regulations made by the Minister of Aviation under Section 21 of the Air Corporations Act, 1949 and if so confirmed shall come into force on such date as may be specified in that behalf in such Regulations

In witness whereof the Corporations and the Custodian Trustees have caused their respective Common Seals to be hereunto affixed and the Management Trustees have hereunto set their hands and seals the day and year first before written

GIVEN UNDER THE COMMON SEAL of BRITISH }  
OVERSEAS AIRWAYS CORPORATION in the } (L.S.)  
presence of:

KEITH GRANVILLE,  
*Member.*

R. M. FORREST,  
*Secretary.*

GIVEN UNDER THE COMMON SEAL of BRITISH }  
EUROPEAN AIRWAYS CORPORATION in the } (L.S.)  
presence of:

H. E. MARKING,  
*Member.*

M. J. LESTER,  
*Secretary.*

SIGNED SEALED AND DELIVERED by the said }  
REGINALD CHARLES AMOORE in the presence } R. C. AMOORE. (L.S.)  
of:

JOSEPH F. HAESTIER,  
B.O.A.C. Headquarters,  
London Airport,  
Hounslow.  
*Chief Clerk.*

SIGNED SEALED AND DELIVERED by the said }  
JOHN DOUGLAS ELLIOTT in the presence of: } J. D. ELLIOTT. (L.S.)

JOSEPH F. HAESTIER,  
B.O.A.C. Headquarters,  
London Airport,  
Hounslow.  
*Chief Clerk.*

GIVEN UNDER THE COMMON SEAL of AIRWAYS }  
CORPORATIONS JOINT PENSION FUND TRUSTEES } (L.S.)  
LIMITED in the presence of:

JOHN W. HAWKINS,  
*Director.*

H. BROMAGE,  
*Secretary.*

*THE FIRST SCHEDULE above referred to***PART IV RULES—OFFICERS' OPTION B****1. GENERAL**

Subject to the exceptions adaptations and modifications hereinafter specified the Part IV Rules—Officers' Option A (hereinafter in this Schedule referred to as "the said Rules") shall constitute Part IV Rules—Officers' Option B

**2. DEFINITIONS**

In Rule 1 of the said Rules the definition of pensionable pay shall be deleted and the following definition substituted therefor

"(m) 'Pensionable pay' in the case of Officers means the average of the Member's pay for pension purposes during the best three consecutive years in the last six years of his service in respect of which contributions have been paid or during the actual period of his service if less than 3 years."

**3. NORMAL RETIREMENT AGE**

In the Rule 4(c) of the said Rules for the reference to 53 years there shall be substituted a reference to 55 years

**4. CONTRIBUTIONS**

In Rule 5(a) of the said Rules for the reference to 5 per cent of the Member's pay for contribution purposes there shall be substituted a reference to 6 per cent of the Member's pay for contribution purposes

**5. NORMAL PENSION**

In Rule 8(c) of the said Rules for the reference to £1 10s. 6d. per cent of the Member's pensionable pay there shall be substituted a reference to £1 15s. 9d. per cent of the Member's pensionable pay

**6. ILL-HEALTH PENSION**

In Rule 11(a) of the said Rules for the reference to £1 13s. 4d. per cent there shall be substituted a reference to £1 15s. 9d. per cent and for the reference to the age of 53 there shall be substituted a reference to the age of 55

**7. TRANSITIONAL PROVISIONS**

(i) Delete the heading of Rule 19 of the said Rules and substitute therefor the words "TRANSITIONAL PROVISIONS"

(ii) Add the following paragraphs to the said Rule 19 :

(g) Each Officer who elects to become subject to these Rules shall be required to pay by way of further contribution such sum as is equal to 1 per cent of his pay in each year (or part year) included in his years of continuous service as an Officer prior to the date of such election

(h) Each Officer who was a Member of the Scheme on 30th June 1953 and who by reason of his age on the date of his admission to the Scheme will not have completed 28 years of continuous service as an Officer prior to attaining the age of 55 may on or before the date six months after the date on which these Rules come into force elect to pay contributions in respect of an additional period of time not exceeding three years in or towards completion of a maximum of 28 years of continuous service by the age of 55 the rate of annual contribution to be 6 per cent of the Member's pay for contribution purposes such pay for contribution purposes to be calculated with reference to the pay of the Member at the date of his first appointment as an Officer by an Employer or by a Predecessor of an Employer in which event the period of time in respect of which contributions are made by virtue of this paragraph shall constitute notional years (or part years) of service and the Member's pension shall be calculated in the manner specified in Rule 13(d)

- (f) For the purposes of paragraphs (g) and (h) of this Rule in ascertaining the amount of the Member's pay in any year or part of a year between 1st day of June 1947 and 31st day of March 1957 (during which his remuneration consisted of basic pay exclusive of pension contributions) the amount of the pension contribution set out in the First Table of Part III of the Scheme appropriate to the Member's basic pay shall be added to the amount of such basic pay
- (j) For the purposes of paragraphs (g) and (h) of this Rule any adjustments to years of service pursuant to Rules 6(g) or 13 shall be ignored
- (k) If with the consent of his Employer an Officer so elects he may instead of making any contribution in accordance with the provisions of paragraph (g) of this Rule make an increased annual contribution of such amount as the Management Trustees shall determine during the period between the date of his election to transfer to Part IV Rules—Officers' Option B and the date of his attaining normal retirement age or the date of his actual retirement not later than age 60 if service after normal retirement age can reasonably be foreseen provided always that if as a result of such election the Officer's total contributions would exceed 15 per cent of his remuneration in any year then the total contributions shall nevertheless be limited to a sum equal to 15 per cent of such remuneration in that year and any excess shall be paid as a lump sum either immediately or by instalments over such period as may be agreed by the Management Trustees
- (l) Pensioners who being eligible elect to become subject to these Rules shall be in all respects subject to the provisions of paragraphs (g) to (k) inclusive of this Rule as if they were Officers

#### 8. ADDITIONAL RULE

Add the following new Rule 32:

##### (32) ELECTIONS

Any election to be made pursuant to these Rules shall be made by notice to the Secretary

### *THE SECOND SCHEDULE above referred to*

#### PART V RULES—OFFICERS' OPTION B

##### 1. GENERAL

Subject to the exceptions adaptations and modifications hereinafter specified the Part V Rules—Officers' Option A (hereinafter in this Schedule referred to as "the said Rules") shall constitute Part V Rules—Officers' Option B

##### 2. NORMAL RETIREMENT AGE

In Rule 4(c) of the said Rules for the reference to 53 years there shall be substituted a reference to 55 years

##### 3. CONTRIBUTIONS

In Rule 5(a) of the said Rules for the reference to 6½ per cent of the Member's pay for contribution purposes there shall be substituted a reference to 7½ per cent of the Member's pay for contribution purposes

##### 4. NORMAL PENSION

In Rule 8(d) of the said Rules as regards Officers for the reference to £1 10s. 6d. per cent of the Member's pensionable pay there shall be substituted a reference to £1 15s. 9d. per cent of the Member's pensionable pay

##### 5. ILL-HEALTH PENSION

In Rule 13(a) of the said Rules as regards Officers for the reference to £1 13s. 4d. per cent there shall be substituted a reference to £1 15s. 9d. per cent and for the reference to the age of 53 there shall be substituted a reference to the age of 55

## 6. TRANSITIONAL PROVISIONS

Add the following paragraphs to Rule 20:

- (m) Each Officer who elects to become subject to these Rules shall be required to pay by way of further contribution such sum as is equal to 1 per cent of his pay in each year (or part year) included in his years of continuous service as an Officer prior to the date of such election
- (n) Each Officer who was a Member of the Scheme on 30th June 1953 and who by reason of his age on the date of his admission to the Scheme will not have completed 28 years of contributory service as an Officer prior to attaining the age of 55 may on or before the date six months after the date on which these Rules come into force elect to pay contributions in respect of an additional period of time not exceeding three years in or towards completion of a maximum of 28 years of contributory service by the age of 55 the rate of annual contribution to be 6 per cent of the Member's pay for contribution purposes such pay for contribution purposes to be calculated with reference to the pay of the Member at the date of his first appointment as an Officer by an Employer or by a Predecessor of an Employer in which event the period of time in respect of which contributions are made by virtue of this paragraph shall constitute notional years (or part years) of service and the Member's pension shall be calculated in the manner specified in Rule 8 the number of notional years of service resulting from the payment of increased contributions being added to the number of actual years of service for the purpose of the calculation
- (o) For the purposes of paragraphs (m) and (n) of this Rule in ascertaining the amount of the Member's pay in any year or part of a year between 1st day of June 1947 and 31st day of March 1957 (during which his remuneration consisted of basic pay exclusive of pension contributions) the amount of the pension contribution set out in the First Table of Part III of the Scheme appropriate to the Member's basic pay shall be added to the amount of such basic pay
- (p) For the purposes of paragraphs (m) and (n) of this Rule any adjustments to years of service pursuant to Rule 6(g) shall be ignored
- (q) If with the consent of his Employer an Officer so elects he may instead of making any contribution in accordance with the provisions of paragraph (m) of this Rule make an increased annual contribution of such amount as the Management Trustees shall determine during the period between the date of his election to transfer to Part V Rules—Officers' Option B and the date of his attaining normal retirement age or the date of his actual retirement not later than age 60 if service after normal retirement age can reasonably be foreseen provided always that if as a result of such election the Officer's total contributions would exceed 15 per cent of his remuneration in any year then the total contributions shall nevertheless be limited to a sum equal to 15 per cent of such remuneration in that year and any excess shall be paid as a lump sum either immediately or by instalments over such period as may be agreed by the Management Trustees
- (r) Pensioners who being eligible elect to become subject to these Rules shall be in all respects subject to the provisions of paragraphs (m) to (q) inclusive of this Rule as if they were Officers

## 7. ADDITIONAL RULE

Add the following new Rule 34:

### (34) ELECTIONS

Any election to be made pursuant to these Rules shall be made by notice to the Secretary

EXPLANATORY NOTE

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

These Regulations amend The Airways Corporations Joint Pension Scheme. The principal changes, the details of which are specified in Deeds of which copies are set out in the Schedules to the Regulations, are that the terms and conditions of contributions and benefits for Officers of the Airways Corporations are altered.