

GOVERNMENT CIRCULAR

No. 61/60.

G.O. Reference No. S2803/49.

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**The Superannuation (Officers of Boards)  
Acts, 1934 - 1939.**

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**The Superannuation (Officers of Boards)  
(Isle of Man Electricity Board) Scheme, 1960.**

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His Excellency the Lieutenant Governor, under the powers contained in the Superannuation (Officers of Boards) Act, 1934, as amended by the Superannuation (Officers of Boards) Act, 1935; the Superannuation (Officers of Boards) Act, 1939; the Superannuation (Reciprocity) Act, 1950; and the Pensions (Increase) Act, 1957; has made a Scheme dated the 21st day of November, 1960, (a copy of which is appended), for the payment of superannuation allowances and pensions to Officers of the Isle of Man Electricity Board and to the widows and dependants of deceased officers of the Board.

The Scheme was approved by Tynwald on the 14th day of December, 1960.

By Order,

E. R. St. A. DAVIES,  
Government Secretary.

Government Office,  
Isle of Man.  
December, 1960.

### Scheme

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2. Application of the Superannuation Acts.
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  4. Interpretation of the Superannuation Acts.
  5. Application to Existing Officers.
  6. Modification of Benefits.
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ISLE OF MAN  
TO WIT.

BY HIS EXCELLENCY SIR RONALD HERBERT GARVEY, K.C.M.G.,  
K.C.V.O., M.B.E., Lieutenant Governor of the said Isle, &c., &c., &c.

### THE SUPERANNUATION (OFFICERS OF BOARDS) ACTS, 1934 - 1939.

### THE SUPERANNUATION (OFFICERS OF BOARDS) (ISLE OF MAN ELECTRICITY BOARD) SCHEME, 1960.

WHEREAS under the provisions of the Superannuation (Officers of Boards) Act, 1934, as amended, the Governor is empowered to prepare and submit for the approval of Tynwald a scheme for the payment of superannuation allowances and pensions to the Officers of Boards of Tynwald and to the widows and dependants of deceased officers of the Boards or any of the Boards, and such scheme shall contain such provisions as the Governor considers necessary.

AND WHEREAS it is also provided that any scheme made by the Governor under the provisions of the Act, may, from time to time, be varied or revoked by a subsequent scheme prepared by the Governor.

AND WHEREAS it is further provided that upon the Scheme being approved by Resolution of Tynwald, such scheme shall have effect as if the scheme was an Act of Tynwald.

NOW, THEREFORE, I, the said Lieutenant Governor, in exercise of the powers conferred upon me as aforesaid and of all other powers me in this behalf enabling, do hereby make the following scheme:—

#### Definitions

1.—(1) The Interpretation Act, 1949, shall apply to the interpretation of this Scheme as it applies to the interpretation of an Act of Tynwald.

(2) In this Scheme, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say:—

“appointed day” means such day as the Governor may by Order appoint for the purposes of this Scheme.

“approved course of study or training” means a course of study or training approved for the purposes of this Scheme by the Governor on the written application of the officer made before or within three months after the commencement of the course.

“Board” means the Isle of Man Electricity Board, being a Board within the meaning of sub-section (1) of section two of the Superannuation (Officers of Boards) Act, 1934, as amended.

“General Revenue” means the General Revenue of the Isle of Man.

“The Treasurer” means the Treasurer of the Isle of Man.

“National Service”, in relation to any person, means service in any of the armed forces of the Crown undertaken by virtue of an enlistment notice or training notice served under the National Service Act, 1948, or work or training in pursuance of an order of a tribunal under section 17 of the National Service Act, 1948, which relates to Conscientious Objectors) and includes any period immediately following the termination thereof during which the person with the consent of the Board continues in similar service.

“Officer” has the same meaning as in the Superannuation (Officers of Boards) Acts, 1934 to 1939.

“the Superannuation Acts” means the Superannuation Acts of the Imperial Parliament, listed in the Second Schedule to this Scheme.

“Superannuable remuneration” means the gross salary or wages and any war or cost of living bonus payable to the officer concerned by the Board, without regard to any deduction which may lawfully be made therefrom, and includes the money value (as determined by the Treasurer after consultation with the Board) of any apartments or other allowances in kind (approved by the Treasurer) appertaining to the employment of the officer, but does not include any salary, allowance, fee, reward or gratuity in respect of any special or overtime work or duty or any other bonus or any travelling, subsistence or similar allowance (except in any case where the Treasurer otherwise determines).

“the 1951 Scheme” means the Superannuation (Officers of Boards) Scheme, 1951, made by His Excellency the Lieutenant Governor under the provisions of the Superannuation (Officers of Boards) Acts, 1934-1939, and approved by Resolution of Tynwald on the 18th April, 1951.

“the 1959 Scheme” means the Superannuation (Officers of Boards) Scheme, 1959, made by His Excellency the Lieutenant Governor under the provisions of the Superannuation (Officers of Boards) Acts, 1934-1939, and approved by Resolution of Tynwald on the 24th March, 1959.

2. Subject as hereinafter provided, as from the appointed day every Officer of the Board shall be superannuable by analogy with the provisions of the Superannuation Acts, and the Rules and Regulations made and Directions given thereunder, with all such modifications and adaptations as may be necessary. **Application**

3. Where an officer has attained the age of sixty years he shall cease to hold his office or employment. **Retiring Age**

Provided that the Board may with the consent of the officer and with the approval of the Governor by resolution extend the period of service or employment of any such officer for one year or any less period and so from time to time as they may deem expedient.

4.—(1) In the interpretation of the Superannuation Acts, and the Rules and Regulations made and Directions given thereunder, the following expressions shall have the meanings hereby assigned to them, unless the context otherwise requires, that is to say: **Interpretation of the Acts**

(a) “The Treasury”, “The Commissioners of the Treasury”, “The Secretary of State” means the Lieutenant Governor;

- (b) "a civil servant" means a person serving on the staff of the Board in a permanent capacity, being the holder, for the time being, of a whole-time office listed in the Third Schedule to this Scheme;
- (c) "unestablished capacity" means employment on the staff of the Board otherwise than in the capacity defined in sub-paragraph (b) hereof, being employment to which the person serving therein is required to devote his whole time (and the remuneration for which is paid entirely out of monies provided by Tynwald or the Board);

(2) In Part I of the Superannuation Act, 1949, the words "the date of the passing of this Act" means "the appointed day for the purposes of the Superannuation (Officers of Boards) (Isle of Man Electricity Board) Scheme, 1960".

**Application  
to Existing  
Officers**

5. Where an officer on the appointed day becomes subject to the provisions of this Scheme, having immediately before the appointed day been subject to the provisions of the 1951 Scheme, then, if he notifies the Treasurer, in writing, within one month after the appointed day that he does not wish to avail himself of the benefits of this Scheme, the provisions of this Paragraph shall apply to and in respect of him as if in relation to his employment as an officer, they require him to make the like contributions, if any, as he would have been liable to make, and confer upon him the same rights which he would have enjoyed if he had remained subject to the provisions of the 1951 Scheme, and those provisions shall continue so to apply to and in respect of him so long as he is an officer without a break in employment of more than twelve months, and without his having, during any break in employment, become entitled to participate in superannuation benefits by virtue of employment otherwise than as an officer.

Provided that :—

- (a) where immediately after ceasing to be an officer a person to whom this paragraph applies :
  - (i) entered an approved course of study or training not followed by a period of national service; or
  - (ii) became engaged in national service; or
  - (iii) entered an approved course of study or training and immediately after completing that course became engaged in national service;

then if on completion of that course or within twelve months thereafter, or on the termination of that service or within six months thereafter, or, if that service was followed by an approved course of study or training on completion of that course or within six months thereafter, the person again becomes an officer, he shall not be treated as having had such a break in employment as aforesaid.

**Modification  
of Benefits  
under the  
Scheme in  
connection  
with the  
National  
Insurance  
(Isle of Man)  
Acts**

6.—(1) Subject to paragraph 5 and to sub-paragraph (2) of this paragraph, the provisions of this paragraph shall apply as from the appointed day in relation to every officer, subject to the modifications contained in sub-paragraph (3) of this paragraph, and in relation to every person in receipt of a pension under this Scheme, subject to the modifications contained in sub-paragraph (4) of this paragraph.

(2) This paragraph shall not apply to any officer who,

- (a) either in pursuance of the provisions of paragraph (a) of sub-section (3) of Section 61 of the National Insurance (Isle of Man) Act, 1948, is deemed to attain pensionable age on the expiration of ten years from the 5th July, 1948, or under any Regulations made under that Act is deemed to attain pensionable age at any later age than 65 in the case of a man or 60 in the case of a woman; or
- (b) became subject to the provisions of this Scheme on the appointed day and, between the Fifth day of July, 1948, and the appointed day, was continuously employed :

- (i) as an established or unestablished officer in the employment of a Department of the Isle of Man Government; or
- (ii) as an officer subject to the provisions of the 1951 or 1959 Schemes, or as a whole-time responsible officer of a Board not subject to the provisions of the 1951 or 1959 Schemes; or
- (iii) in such other whole-time employment as the Governor may direct to be employment for the purposes of this paragraph;

provided that an officer who, during the period between the Fifth day of July, 1948, and the appointed day, served in one or more of the employments enumerated in sub-paragraph (i), (ii) and (iii) hereof without a break of more than one month at any one time, shall be deemed to have served continuously.

(3) The amount of contributions to be paid under the provisions of paragraph 10 of this Scheme by an officer to whom this paragraph applies shall be reduced at the rate of £3 0s. 8d. per annum in the case of a man and at the rate of £3 5s. 0d. per annum in the case of a woman, and the amount of the contributions to be paid by the Board under paragraph 12 of the Scheme in respect of that officer shall be reduced at the like rate.

(4) As from the date on which an officer is awarded a pension under this Scheme or, if on being awarded such pension he has not reached pensionable age within the meaning of the National Insurance (Isle of Man) Act, 1948, as from the date on which he reaches that age, the pension shall be reduced;

- (a) if he became an officer within twelve months after leaving employment in relation to which he was subject to a superannuation scheme approved by the Governor for the purposes of this paragraph modified by regulations made under sub-section 4 of section 60 of the National Insurance (Isle of Man) Act, 1948, or any corresponding provision modifying a pension provided in relation to an insured person within the meaning of the National Insurance Act, 1946, (being an Act of the Imperial Parliament) or, if he left that employment in order to undertake war service, or if immediately after leaving that employment he became engaged in National Service and remained an officer until being awarded a pension without a break of more than twelve months, and if by virtue of the said regulations any pension which he might have been awarded would have been reduced by reference to his age at the date on which the said regulations became applicable in relation to him:
  - (i) by the annual sum shown in the appropriate column of the relative table set out in the First Schedule to this Scheme in relation to an age which corresponds with his age at the date on which the said regulations became applicable in relation to him, for each year of contributing or established service on and after that date; and
  - (ii) by one-half of the said annual sum for each year of non-contributing or unestablished service on and after the said date; and
- (b) in any other case by the sum of one pound, fourteen shillings per annum in respect of each year of service on and after the 5th July, 1948, which in the computation of the pension has been reckoned for the purposes of this Scheme as service in the capacity of a civil servant and by the sum of seventeen shillings for each year of service reckoned as unestablished service on and after the 5th July, 1948,

provided that no pension shall be reduced by more than the sum of £67 15s. 0d. per annum.

- 7.—(1) (a) There shall be reckonable for the purposes of this Scheme as established service of an officer any previous employment which was service for the purposes of the 1951 Scheme. Reckon-ability of previous 1951 Scheme Service
- (b) There shall be reckonable for the purposes of this Scheme as

unestablished service of an officer any previous employment which was non-contributing service for the purposes of the 1951 Scheme.

(2) On the coming into operation of this Scheme every officer subject thereto shall forthwith supply to the Treasurer on the prescribed form such particulars as may be required of any previous service which the officer claims to be reckonable for the purposes of this Scheme.

(3) As soon as practicable the Treasurer shall notify each officer subject to the provisions of this Scheme particulars of his previous service deemed to be reckonable for the purposes of this Scheme.

(4) An officer aggrieved by the decision of the Treasurer under sub-paragraph (3) hereof may, within one month from the date of the Treasurer's notification, appeal on the prescribed form against the decision of the Treasurer.

(5) Any such appeal as aforesaid may be referred to such body or person as the Governor may select for report to the Governor, and the Governor's decision thereon shall be final.

**Avoidance of duplication**

8. If the Governor is of opinion that any service in respect of which a person becomes eligible for any superannuation benefit under this Scheme, has been or will be taken into account for the purpose of any other benefit which has or may become payable to him out of the General Revenue, the Governor may make such deduction from the benefit under this Scheme as may appear to him to be equitable, in order to secure that that person may not receive in respect of the same service a benefit under this Scheme as well as such other benefit as aforesaid.

**Payment of benefits**

9. A superannuation benefit under this Scheme shall be payable to, or in trust for, the person to whom it is granted, and shall not be assignable or chargeable with his debts or liabilities.

**Contributions by officers**

10.—(1) Every officer subject to the provisions of this Scheme (other than an officer subject to the provisions of paragraph 5 thereof) shall, as from the appointed day, contribute an amount equal to five per centum (5%) of his total superannuable remuneration. Such amount shall be deducted from the remuneration payable to him by the Board and shall be paid over half-yearly by the Board to the Treasurer.

(2) Service in respect of which an officer has made or is deemed to have made the contributions required by sub-paragraph (1) hereof shall be established service.

(3) An officer on sick leave on full pay, or full pay reduced solely by reason of his having become entitled to benefit under the National Insurance Acts, or half-pay, shall make contributions under this sub-paragraph at the rate set out in sub-paragraph (1) hereof on the total superannuable remuneration on which he was making contributions immediately before he went on leave of absence and the period of such absence in respect of which contributions have been made in accordance with the provisions of this sub-paragraph shall be deemed to be established service for the purposes of the immediately preceding sub-paragraph.

(4) An officer on unpaid leave, unpaid sick leave or sick leave at pension rate of pay shall not make contributions and the period of such absence from duty shall not be reckonable as service.

**Return of contribution.**

11.—(1) In the event of an officer voluntarily resigning his office or employment, or being dismissed for incapacity (fraud or misconduct not being alleged) before he has, under the provisions of this scheme, become eligible for any superannuation benefit, the Treasurer shall pay to him, out of the General Revenue, a sum equal to the amount of the contributions made by such officer under the provisions of paragraphs 5 or 10 of this Scheme or of the 1951 or 1959 Schemes.

(2) In any case in which an officer shall die, whether before or after

becoming eligible for any superannuation benefits under this Scheme and before he shall have received by way of benefits an amount equal in the aggregate to the amount of his contributions under paragraphs 5 or 10 of this Scheme or under the 1951 or 1959 Schemes, together with compound interest thereon, calculated to the date of his retirement or death at the rate of three per centum per annum by half-yearly rests, the Treasurer shall pay to his legal personal representative, out of the General Revenue, the difference between the total amount which such officer has received by way of superannuation benefits and the aggregate amount of his contributions under this Scheme or the 1951 Scheme, together with compound interest thereon calculated as aforesaid.

**12.** The Board shall pay to the Treasurer every half year during which the scheme is in operation, a sum equal to seven per centum (7%) of the total superannuable remuneration of the officers of the Board subject to the provisions of this Scheme during that period, and such payment shall be chargeable against the Board's funds. **Contributions by the Board**

**13.—(1)** All sums received by the Treasurer under the provisions of this Scheme shall be taken into and form part of the General Revenue. **Accounts**

(2) All expenditure under the provisions of this Scheme shall be defrayed out of monies provided by Tynwald out of the General Revenue.

(3) A separate account shall be kept by the Treasurer of the receipts and payments under this Scheme and shall be annually laid before Tynwald.

**14.—(1)** Any question which may arise under this Scheme shall be determined by the Governor, whose decision shall be final. **Determination of Questions**

(2) For the purpose of enquiry and report upon any matter arising under the provisions of this Scheme, the Governor may refer the question to such body or person as the Governor may select.

**15.—(1)** Tynwald may from time to time by resolution add to or delete from the List of Superannuation Acts of the Imperial Parliament set out in the Second Schedule to this Scheme. **Amendments**

(2) Whole-time offices added to or deleted from the approved establishment of the Board shall be added to or deleted from (as the case may be) the Third Schedule to this Scheme by Resolution of the Board with the prior approval of the Governor.

**16.—(1)** Subject to the provisions of this Rule, as from the appointed day Paragraph 15 (3) (a) of the 1959 Scheme shall be repealed. **Repeals**

(2) The 1951 Scheme shall continue to have effect in relation to the Board and its officers in respect of—

- (a) any award or claim to award on the retirement, death or dismissal of an officer before the appointed day ;
- (b) any award or claim to an award in respect of the death after the appointed day of an officer who retired before the appointed day ;
- (c) any award or claim to an award in respect of the disablement of an officer by an injury sustained by him in the actual discharge of his duty where he is not an officer and last ceased to be such before the appointed day.

(3) Section nine of the Interpretation Act, 1949, shall apply in relation to the 1959 Scheme, to the extent that it ceases to have effect under this Rule, as if this Rule were an Act of Tynwald and as if the 1959 Scheme was an Act of Tynwald repealed by an Act of Tynwald.

Citation  
and com-  
mencement

17.—(1) This Scheme may be cited as "The Superannuation (Officers of Boards) (Isle of Man Electricity Board) Scheme, 1960".

(2) This Scheme shall come into force when it has been approved by Resolution of Tynwald and shall take effect on the appointed day.

GIVEN under my hand this 21st day of November, 1960.

R. H. GARVEY,

Lieutenant Governor.

## FIRST SCHEDULE

### TABLE I.

#### Male Officers and Servants.

Age		Annual Sum		
		£	s.	d.
Under 20	...	1	14	0
20 and under	21	1	14	0
21	22	1	13	0
22	23	1	12	6
23	24	1	12	0
24	25	1	11	0
25	26	1	10	6
26	27	1	10	0
27	28	1	9	6
28	29	1	9	0
29	30	1	8	6
30	31	1	8	0
31	32	1	7	6
32	33	1	7	0
33	34	1	6	0
34	35	1	5	6
35	36	1	5	0
36	37	1	4	6
37	38	1	4	0
38	39	1	3	6
39	40	1	3	0
40	41	1	2	6
41	42	1	2	6
42	43	1	1	6
43	44	1	1	0
44	45	1	0	6
45	46	1	0	0
46	47	19	6	
47	48	19	0	
48	49	18	6	
49	50	18	0	
50	51	17	6	
51	52	17	0	
52	53	17	0	
53	54	16	6	
54	55	16	0	
55 and over	...	15	6	



**TABLE II.**  
**Female Officers and Servants.**

Age	Annual Sum		
	£	s.	d.
Under 20 ... ..	1	14	0
20 and under 21 ... ..	1	14	0
21 " " 22 ... ..	1	11	6
22 " " 23 ... ..	1	9	6
23 " " 24 ... ..	1	7	6
24 " " 25 ... ..	1	5	6
25 " " 26 ... ..	1	4	0
26 " " 27 ... ..	1	2	6
27 " " 28 ... ..	1	1	0
28 " " 29 ... ..	1	0	0
29 " " 30 ... ..	19	0	0
30 " " 31 ... ..	18	0	0
31 " " 32 ... ..	17	6	0
32 " " 33 ... ..	17	0	0
33 " " 34 ... ..	16	6	0
34 " " 35 ... ..	16	0	0
35 " " 36 ... ..	15	6	0
36 " " 37 ... ..	15	0	0
37 " " 38 ... ..	14	6	0
38 " " 39 ... ..	14	0	0
39 " " 40 ... ..	13	6	0
40 " " 41 ... ..	13	6	0
41 " " 42 ... ..	13	0	0
42 " " 43 ... ..	13	0	0
43 " " 44 ... ..	12	6	0
44 " " 45 ... ..	12	6	0
45 " " 46 ... ..	12	0	0
46 " " 47 ... ..	12	0	0
47 " " 48 ... ..	12	0	0
48 " " 49 ... ..	11	6	0
49 " " 50 ... ..	11	6	0
50 and over ... ..	11	0	0

**SECOND SCHEDULE**

**Superannuation Acts of Imperial Parliament.**

- The Superannuation Act, 1834.
- The Superannuation Act, 1859.
- The Superannuation Act, 1887.
- The Superannuation Act, 1892.
- The Superannuation Act, 1909.
- The Superannuation Act, 1914.
- The Superannuation Act, 1935.
- The Superannuation Act, 1946.
- The Superannuation Act, 1949.
- The Superannuation Act, 1950.
- The Superannuation Act, 1957.

## THIRD SCHEDULE

## LIST OF ESTABLISHED POSTS

(NOTE: Officers' names are given below for ease of reference only. They have no other significance and do not form part of this Schedule.)

## THE ISLE OF MAN ELECTRICITY BOARD

## ESTABLISHED POST

Engineer and Secretary .....	(L. Douglass)
Chief Assistant Engineer .....	(H. Williamson)
Assistant Engineer .....	Vacant
Chief Accountant .....	(G. E. Hull)
Commercial Manager .....	(T. E. Collister)
Assistant Commercial Manager .....	(R. C. Corrin)
Chief Clerk—General Office .....	(G. E. Kaneen)
Chief Clerk—Rental Section .....	(T. B. Shimmin)
Chief Cashier .....	(K. H. Cameron)
Accountancy Assistant .....	(R. G. Young)
Accountancy Assistant .....	(T. Wilson)
Accountancy Assistant .....	(D. F. Cain)
Commercial Assistant .....	(W. A. Corris)
Shorthand Typist .....	Vacant
Clerical Officer .....	Vacant
Clerical Officer .....	Vacant
Foreman Linesman .....	Vacant
Foreman Linesman .....	Vacant
Canvasser .....	Vacant
Storekeeper .....	(T. R. Cowley)
Senior Mains Engineer .....	(J. M. Qualtrough)
Mains Engineer (North) .....	(E. C. Quayle)
Mains Engineer (South) .....	Vacant
Resident Foreman Fitter .....	(E. Baker)
Local Engineer .....	(P. Barton)
Local Engineer .....	(F. W. Skelly)
Local Engineer .....	(T. K. Holmes)
Local Engineer .....	Vacant
Meter Technician .....	(J. P. Woolnough)
Meter Reader .....	(E. Kaighen)
Meter Reader .....	(D. J. B. Lewin)
Meter Reader .....	Vacant
Senior Switchboard Attendant .....	(R. P. Munn)
Switchboard Attendant .....	(W. Jones)
Switchboard Attendant .....	Vacant
Switchboard Attendant .....	Vacant
Power Station Superintendent .....	(F. J. Riches/C. Young)
Generating Plant Driver .....	(D. Black)
Generating Plant Driver .....	(A. G. Buschini)
Generating Plant Driver .....	(G. W. Reid)
Generating Plant Driver .....	(A. N. Whybrew)

**II**

**TYNWALD APPROVAL**

The foregoing Scheme was approved by Resolution of Tynwald on the 14th day of December, 1960.

**E. R. St. A. DAVIES,**  
**Government Secretary.**

**Government Office,**  
**Isle of Man.**  
December, 1960.