

AN ACT

To provide for the establishment of a Superannuation Scheme for officers and servants of the MANCHESTER SHIP CANAL COMPANY; and for other purposes.

[ROYAL ASSENT, 4TH AUGUST, 1926.]

WHEREAS the Manchester Ship Canal Company (hereinafter referred to as "the Company") were incorporated by the Manchester Ship Canal Act 1885 and by virtue of the powers conferred by that Act and subsequent Acts own and carry on an undertaking which comprises the Manchester Ship Canal the Bridgewater Canals and certain docks lands and premises in the City of Manchester the City of Salford and elsewhere and certain railways in connection with the said canals docks lands and premises:

Preamble.

- 10 And whereas it is expedient that the Scheme set forth in the Schedule to this Act for the making of superannuation allowances to officers and servants of the Company should be confirmed:

And whereas it is expedient that the other provisions contained in this Act should be enacted:

- 15 And whereas the purposes of this Act cannot be effected without the authority of Parliament:

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MAY IT THEREFORE PLEASE YOUR MAJESTY

That it may BE ENACTED and BE IT ENACTED by the
KING'S MOST EXCELLENT MAJESTY by and with the
advice and consent of the Lords Spiritual and Temporal and
Commons in this present Parliament assembled and by the 5
authority of the same as follows:—

Short Title. 1. This Act may be cited as the Manchester Ship Canal
(Staff Superannuation) Act 1926.

Interpretation. 2. In and for the purposes of this Act the following words
and expressions shall have the following respective meanings 10
unless there be something in the subject or context repugnant to
such construction (that is to say):—

“The Company” means the Manchester Ship Canal
Company;

“The Scheduled Scheme” means the Scheme of which a 15
copy is set forth in the Schedule to this Act;

“The Fund” means the Fund referred to in the Scheduled
Scheme;

“Contributing Member” or “Contributing Members” means
a person or persons who is or are a contributor or contributors 20
to the Fund.

Confirming
Scheduled
Scheme.

3. The Scheme of which a copy is set forth in the Schedule
to this Act is hereby confirmed and shall take effect as from the
appointed day therein referred to.

Fund to be a
charge on
Company's
undertaking.

4. The amounts from time to time standing to the credit of 25
the Fund shall be held by the Company in trust for the Fund and
shall be a debt due by the Company and a charge upon the
general undertaking of the Company and may be applied by the

Repealed
Act 1945
S. 19(1)

Repealed
by 1945 c. 19(1)

Company to the general purposes of their undertaking being in every case purposes to which capital is properly applicable.

5. The Company shall make such payments to the Fund as the Company are required to pay or provide under the Scheduled Scheme and in addition any other payments which may from time to time be necessary to secure the solvency of the Fund.

Payments by Company.

6. All amounts or sums of money which the Company are by this Act or the Scheduled Scheme authorised or required to pay provide or set aside shall be charged to and paid or provided out of the gross revenue of their undertaking as part of the working expenses in the year in which the same are so paid provided or set aside.

Payments to be made as working expenses.

Amended by 1945 S. 19(1)

Amended by Act 1945 S. 19(2)

7. (1) The directors of the Company may in the case of any person having been a Contributing Member supplement the benefits payable to such person under the Scheduled Scheme by making to him any additional annual or other allowance or paying to him any sum in gross if having regard to the period of service with the Company by such person prior to the appointed day referred to in the Scheduled Scheme they think fit to do so. (2) Any allowances or payments paid or made under the powers of this Section shall be defrayed out of the funds and revenues of the Company.

Power to add to benefits under Scheme in certain cases.

8. In addition and without prejudice to any other powers exercisable by the Company the Company may from time to time by agreement with any of the officers or servants for the time being in their employment who are not Salaried Officers or Servants within the meaning of the Scheduled Scheme make and carry into effect a Scheme or Schemes for the granting of pensions or superannuation allowances to such officers or servants and may apply the funds and revenues of the Company for the purposes of any Scheme made under the powers of this Section.

Voluntary Schemes for employees not included in Scheduled Scheme.

9. Nothing in this Act shall prejudice or affect any right or power of the Company to grant pensions or allowances to any of

Saving rights of Company to grant pensions or allowances in certain cases.

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their officers or servants whether such officers or servants are or are not or have or have not been Contributing Members.

Costs of Act.

10. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may in whole 5 or in part be charged against revenue.

[SCHEDULE.]

See Act 1949 ss 41 and 42. By virtue
of s. 42, completely revised schemes
were substituted for the 1926 Act scheme.
That scheme ceased to have effect on
The SCHEDULE referred to in the foregoing Act. 1st December 1974.

SUPERANNUATION SCHEME.

Scheme amended
by 1949 s. 41

I.—INTERPRETATION.

1. In the construction of every definition clause regulation matter and thing hereinafter contained the following words and expressions shall have the meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such construction (that is to say):—

Interpretation.

"The appointed day" means the first day of January 1927:

"The Company" means the Manchester Ship Canal Company:

"Salaried Officer or Servant" means an officer or servant of the Company remunerated by an annual salary in contradistinction to weekly wages and to any form of remuneration other than an annual salary and such other officers or servants (if any) as the Directors may from time to time by resolution designate as eligible for inclusion in this Scheme but does not include the office of Director of the Company:

"Service" means service as a Salaried Officer or Servant in the permanent employment of the Company after the appointed day and after such Salaried Officer or Servant has attained the age of eighteen years:

"The Fund" means the Fund for the time being provided under this Scheme:

"The Association" means the Superannuation Fund Association of the Company:

"Contributing Members" means the Salaried Officers or Servants from time to time contributing to the Fund:

"Member" means a Contributing Member or a person who having ceased to be a Contributing Member is in receipt of a Superannuation Allowance from the Fund:

"The Directors" means the Board of Directors from time to time of the Company:

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"The Committee" means the Committee from time to time appointed under this Scheme and includes the Provisional Committee to be constituted pursuant to Clause 31 of this Scheme so long as that Committee continues to hold office pursuant to that Clause.

"The Members' Committee-men" means the Members of the Committee from time to time appointed by the Members :

"The Directors' Committee-men" means the Members of the Committee from time to time appointed by the Directors :

"The Auditors" and "the Secretary" mean respectively such respective Officers from time to time appointed as provided in this Scheme :

"The Actuary" means the Actuary (being a Fellow of the Institute of Actuaries) from time to time appointed by the Directors :

"Medical Officer" means a Medical Officer of the Company :

"Members' Auditor" means the Auditor from time to time appointed by the Members :

"Directors' Auditor" means the Auditor from time to time appointed by the Directors :

"Ordinary Meeting" means an Ordinary General Meeting of the Members duly called and constituted and any adjourned holding thereof :

"Extraordinary Meeting" means an Extraordinary General Meeting of the Members duly called and constituted and any adjourned holding thereof :

"General Meeting" means an Ordinary Meeting or an Extraordinary Meeting and any adjourned holding thereof respectively :

"Month" means calendar month :

Words importing the singular number include the plural number :

Words importing the plural number include the singular number :

Words importing males include females.

II.—CONSTITUTION.

Association and
Moneys con-
stituting Fund.

2. The Members shall form the Superannuation Fund Association of the Manchester Ship Canal Company and the Fund shall comprise :—

- (a) Contributions of the Contributing Members made under this Scheme ;
- (b) Contributions and payments of the Company made under this Scheme ;
- (c) Interest earned on the Fund.

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3. The Fund shall be accumulated at interest and under the trust of the Company who shall contribute sums equal to the current contributions of the Contributing Members hereinafter prescribed and further such sums or such annuities spread over a term of years as in the opinion of the Actuary will secure the solvency of the Fund.

Accumulation of Fund.

4. The business of the Fund shall be conducted by means of the Staff of the Company in such manner as shall from time to time be agreed between the Committee and the Directors.

Conduct of business of Fund.

5. The Office of the Fund shall be the office of the Company in Manchester or other the principal place of business for the time being of the Company.

Office of Fund.

III.—ADMISSION OF MEMBERS.

6. Subject to the provisions of this Scheme—

Compulsory Membership.

(a) every person who is a Salaried Officer or Servant on the appointed day and whose age on that day exceeds eighteen years but does not exceed fifty-five years shall become a Contributing Member on the appointed day ;

(b) every person under the age of eighteen years who is on the appointed day or becomes at any time thereafter a Salaried Officer or Servant shall become a Contributing Member on his attaining the age of eighteen years ;

(c) every person exceeding eighteen years but not exceeding fifty-five years of age who after the appointed day enters the employment of the Company as a Salaried Officer or Servant shall become a Contributing Member on entering such employment ;

(d) every person at any time on the Wages Staff of the Company who after the appointed day and after attaining the age of eighteen years but before attaining the age of fifty-five years becomes a Salaried Officer or Servant shall become a Contributing Member on so becoming a Salaried Officer or Servant.

Provided that if any person entering the employment of the Company after the appointed day so desires the obligation to become a Contributing Member shall only apply if the Company make membership of the Fund a condition of his service.

7. Every person of fifty-five years of age or over taken into the employment of the Company after the appointed day as a Salaried Officer or Servant and every person at any time on the Wages Staff of the Company who after the appointed day and after attaining the age of fifty-five years becomes a Salaried Officer or Servant shall be entitled if he so desires to become a Contributing Member provided that he antedates his membership under Clause 10 to age fifty-five or an earlier age and that the Company consent to pay the Company's share of the back contributions.

Optional Membership.

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Female Members.

8. Notwithstanding any other provision of this Scheme women employed by the Company as Salaried Officers or Servants may if they so desire and with the consent of the Directors but not otherwise be admitted as Contributing Members on the same terms as men.

Special conditions for late age entrants.

9. The Committee with the assent of the Directors shall have power to impose whatsoever special conditions they think fit in admitting Salaried Officers or Servants over forty years of age to membership of the Fund.

Ante-dating of Membership.

10. The Committee may at the time of admission of a Contributing Member over forty years of age with the assent of the Directors permit the membership to commence as from an earlier date subject to back contributions from such earlier date being paid by such Contributing Member and by the Company together with compound interest on such respective contributions calculated to the date of his admission at the rate of four and a half per centum per annum with half-yearly rests subject to the following limitations:—

(a) No Member over forty and under fifty years of age at the date of admission shall be permitted to join as from an earlier age than forty;

(b) No Member fifty years of age or over at the date of admission shall be permitted to join as from a date more than ten years before the date of admission.

Back contributions paid as so provided shall be based on the Member's salary at the time of actual admission.

Added years of Membership in case of specially appointed Officers or Servants.

11. In the case of any person specially appointed (whether before or after the appointed day) as a Salaried Officer or Servant on account of professional or other particular qualifications held by him at the time of his entering the service of the Company and upon or after such appointment becoming a Contributing Member the Directors may at any time by Resolution at the request of such Contributing Member direct that such number of years (not exceeding ten) as the Directors may by such Resolution specify be added to the actual years of his service for the purpose of determining his Superannuation Allowance.

Such Officer or Servant shall be required to pay to the Fund contributions in respect of such added years together with compound interest on such respective contributions calculated to the date of his becoming a Contributing Member at the rate of four and a half per centum per annum with half-yearly rests. Back contributions paid as so provided shall be based on the Contributing Member's salary at the time of admission to the service of the Company.

The Company shall also contribute a like amount to the Fund.

Contributing Member to contribute so long as Service continues.

12. Every Salaried Officer or Servant who on the appointed day or at any time thereafter becomes a Contributing Member shall so long as he remains in the Service continue to be a Contributing Member and shall be bound in all respects by this Scheme.

Sec 5.7 1.553

IV.—CONTRIBUTIONS.

13. Every Contributing Member shall contribute a sum equal to such percentage of his salary as is provided in the next following scale and such further contributions (if any) as are payable pursuant to Clauses 9 10 and 11 of this Scheme. The said contributions shall be deducted by the Company from time to time from the salary paid by them to Contributing Members and shall be placed by the Company to the credit of the Fund.

Age next birthday on admission to the Fund.	Percentage of Salary.
25 or under	2½
26 to 30	2¾
31 to 35	3
36 to 40	3¼
41 to 45	3½
46 to 50	3¾
51 to 55	4½

Rate of Contributions.

amended by
1935 S. 36
and by 1949 S. 41

14. For the purpose of ascertaining the amount of the contributions of any Contributing Member (and of the corresponding contributions of the Company) his actual salary may with the consent of the Directors and of the Committee be deemed to include the annual value of any benefit allowed to him by way of rent board lodging or commission on the profits of any department.

Salary may include emoluments.

15. For the purposes of this Scheme any contribution by a Contributing Member shall be deemed to have been made on the day when the payment of salary from which it is deducted became due although such payment of salary may not be actually made on that day.

Date of Contributions.

16. The Company shall contribute to the Fund sums equal to the amounts contributed by the Contributing Members and on the respective dates of contribution by the Contributing Members.

Contributions of Company.

17. If the salary of any Contributing Member shall be suspended or reduced he shall at the discretion of the Committee and with the approval of the Directors subject to his own contributions and the corresponding contributions of the Company being paid on his full salary at the time of such suspension or

Contribution of Member when salary suspended or reduced.

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reduction be deemed for the purposes of this Scheme to be in continued receipt of such full salary notwithstanding such suspension or reduction and to be a Salaried Officer or Servant and a Contributing Member.

Change of Grade.

18. A Contributing Member who is transferred to a grade occupants of which are not ordinarily eligible for membership of the Fund may at the discretion of the Committee and with the approval of the Directors be allowed to retain his membership of the Fund.

V.—BENEFITS.

Benefits.

19. For the purpose of calculating benefits under this Scheme salary shall be deemed to be the sum on which contributions have been based.

Scale of
Superannuation
Allowances.

Power to
extend scheme
to provide for
joint allowances
1948 s. 20.
as amended by
1949 s. 40.
Incapacitated
Members.

Power to amend
original Scheme
1949 s. 42

20. Every Contributing Member who has been in the service of the Company for ten years or upwards shall on attaining the age of sixty years or at any time thereafter provided he leaves the Service be entitled upon so leaving to cease making contributions to the Fund and be superannuated and shall be entitled to receive from the Fund an annuity equal to one-sixtieth of the average amount of his annual salary during the five years which immediately precede the day on which he leaves the service multiplied by the period of his service expressed in terms of years and fractions of a year with a maximum of forty-sixtieths of such salary.

21. Any Contributing Member who has been in the service of the Company for ten years or upwards who retires from the service before attaining sixty years of age in consequence of incapacity to perform his duties arising from mental or physical infirmity not resulting from his own misconduct and who satisfies the Committee with regard to such incapacity either by production of a certificate from the Medical Officer or by other sufficient evidence shall be entitled on his retirement from the Service and for the remainder of his life to a Superannuation Allowance subject to the following conditions:—

(a) The Superannuation Allowance to be granted shall be calculated in proportion to his years of service upon the same scale as if he had attained the age of sixty years:

(b) The Committee may at any time while such Contributing Member is under sixty years of age require him to give 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 give such evidence they may reduce suspend or revoke his Superannuation Allowance:

(c) If while under sixty years of age he recovers sufficiently to be able to earn an income the Committee may reduce suspend or revoke his Superannuation Allowance as they may think the circumstances justify and may accordingly from time to time fix and vary the amount of his Superannuation Allowance:

see 5.9/33

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(d) If while under sixty years of age 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 :

(e) If his Superannuation Allowance has been reduced suspended or revoked as aforesaid he shall on attaining sixty years of age and for the remainder of his life be entitled to receive a Superannuation Allowance in accordance with paragraph (a) of this Clause whether his incapacity continues or not.

22. When a person who shall have become entitled under this Scheme to a Superannuation Allowance or other payment is unable by reason of physical or mental disability to manage his affairs or to sign documents the Committee may from time to time at their discretion authorise the payment of the allowance to his wife or other person having charge of him or to any child or children or dependant of the disabled person or if the disabled person is in an Institution may at their discretion authorise the payment of so much of the allowance or other payment as they think fit to that Institution for his maintenance and may if they think fit authorise the payment of the balance (if any) to or for the support of the wife children or dependants of such disabled person and the Fund and the Committee shall be discharged from all liability in respect of any sums so paid.

Allowances and payments due to persons under disability.

23. If any Contributing Member shall die before becoming entitled to or receiving a Superannuation Allowance under this Scheme there shall be paid to his legally constituted representative out of the Fund a sum equal to the total amount of the contributions made by such Member under this Scheme together with compound interest on such respective contributions calculated to the date of his death at the rate of three per centum per annum with half-yearly rests.

Return of contributions in case of death.

If there shall be no legally constituted representative of such Contributing Member the Committee may at their discretion authorise the payment of any such sum (provided it does not exceed one hundred pounds) to his widow children or next of kin or any of them without requiring a legally constituted representative and the Fund and the Committee shall not be liable to make any further payment to any claimant in respect of such deceased Member.

Section 6 of The Industrial and Provident Societies (Amendment) Act 1913 shall apply in respect of this and the next following Clause as if the Fund were a registered society.

24. If any Member shall die after he has become entitled to a Superannuation Allowance under this Scheme and before he shall have received by way of Superannuation Allowance an amount equal in the aggregate to the total amount of the contributions made by such Member under this Scheme

Death after superannuation.

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together with compound interest on such respective contributions calculated to the date of his retirement at the rate of three per centum per annum with half-yearly rests there shall be paid to his legally constituted representative out of the Fund the difference between the aggregate amount which such Member has received by way of Superannuation Allowance and the total amount of the contributions made by such Member under this Scheme together with such compound interest as aforesaid.

If there shall be no legally constituted representative of such Member the Committee may at their discretion authorise the payment of any such sum (provided it does not exceed one hundred pounds) to his widow children or next of kin or any of them without requiring a legally constituted representative and the Fund and the Committee shall not be liable to make any further payment to any claimant in respect of such deceased Member.

Return of contributions with interest in certain cases.

25. Any Contributing Member—

(a) upon leaving the service of the Company (except on account of dishonesty) without being entitled on so leaving to receive from the Fund a Superannuation Allowance; or

(b) upon being transferred as mentioned in Clause 18 without the Directors approving of his retaining his membership of the Fund

shall cease to be a Member and shall be entitled to receive back from the Fund the total amount of the contributions made by such Member under this Scheme together with compound interest on such respective contributions calculated to the date of his so ceasing to be a Member at three per centum per annum with half-yearly rests and shall have no further claim upon the Fund.

Dismissal for dishonesty.

26. Any Contributing Member dismissed from the service of the Company for dishonesty shall be entitled to receive back from the Fund the total amount of the contributions made by such Member under this Scheme without interest and shall have no further claim upon the Fund. Provided that if the Committee so determine the whole or any part of the said amount shall be paid to the wife or children or dependants of such Contributing Member instead of to such Member and the Fund and the Committee shall be discharged from all liability in respect of any amount so paid as last aforesaid.

Date of payment of superannuation allowance.

27. All Superannuation Allowances shall be payable monthly on the last day of each month an apportioned payment being made for any period less than a month elapsing between the commencement of superannuation and the day of payment next succeeding or between the last day on which the allowance shall be payable and the death of the recipient or the ceasing of the allowance as the case may be and in fixing the amount of such apportioned payment in the latter case the Committee may in their absolute discretion treat any part of a month as a complete month.

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28. Save as prescribed by this Scheme no Member shall have any claim upon the Fund. Claims of Members on Fund.

29. No Member shall be entitled to any Superannuation Allowance while in the service of the Company. Members not entitled to benefit while in service of the Company.

VI.—COMMITTEE.

30. Subject to the provisions of this Scheme the management and direction of the Fund shall be vested in a Committee of twelve persons appointed as hereinafter mentioned of whom six shall be Directors' Committee-men and six shall be Members' Committee-men. Composition of Committee.

31. A Provisional Committee of the Fund shall be constituted and shall consist of the following twelve persons :— Provisional Committee.

Directors' Committee-men :

William Charles Racon.
Sir William Kay.
Ernest Latimer.
Alfred Watkin.
Miles Ewart Mitchell.
Frederick Alsop Eyre.

Members' Committee-men :

Charles Shaw.
George William Blackley.
Thomas Rylance Hague.
Robert McKeon.
Ernest Heath.
Frederick Sly.

Such Provisional Committee and any persons appointed to fill any casual vacancies which may arise shall hold office until a Committee has been constituted in accordance with this Scheme after the first election of Members' Committee-men in the year 1927 has been made in accordance with Clause 37.

The Provisional Committee shall appoint Scrutineers and make the necessary arrangements for the first election of Members' Committee-men in accordance with Clause 37 and shall exercise all the powers and duties of the Committee of

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Management of the Fund until a Committee has been constituted in accordance with this Scheme.

Any casual vacancies in the office of Members of the Provisional Committee shall in the case of Directors' Committee-men be filled up by an appointment by the Directors and in the case of Members' Committee-men be filled up by an appointment by the Members' Committee-men.

Chairman of
Committee.

32. The Chairman of the Committee shall be one of the Directors on the Committee and in his absence the chair at any meeting of the Committee shall be occupied by the senior Director present or if no Director is present by the senior Directors' Committee-man present. The Chairman of the Committee or any person occupying the chair in his absence shall in cases of equal division have an additional or casting vote.

Procedure of
Committee.

33. The procedure of the Committee shall except as prescribed by this Scheme from time to time be regulated by the Committee.

Claims on Fund.

34. The Committee shall decide on all claims made upon the Fund.

Decisions on
questions of fact.

35. Whenever it shall be needful for the Committee to decide a question of fact they shall be at liberty to act upon such proofs or presumptions as they shall deem satisfactory whether the same shall be strictly legal or not and their decision shall be final.

Appointment
of Directors'
Committee-men.

36. The Directors' Committee-men shall from time to time be appointed by the Directors and the qualifications appointment and retirement from time to time of the Directors' Committee-men shall be regulated from time to time by the Directors.

Election of
Members'
Committee-men.

37. The Members' Committee-men shall be elected by the Members and (except in the case of the Provisional Committee referred to in Clause 31) shall subject to the provisions of paragraph (f) of this Clause hold office for three years from the date of their election and upon the expiration of such three years retire from office but shall be eligible for re-election. The following regulations shall be observed with regard to the election of Members Committee-men viz. :—

(a) The qualification for a Members' Committee-man shall be that he is a Member ;

(b) After the first election of Members' Committee-men in 1927 an election shall take place every three years ;

(c) When an election is to take place the Secretary shall not later than the 30th day of April in the year in which the election is to take place notify that fact to each Member by means of an advice to departments which

is to be posted in the offices and invite the nomination of candidates whose names together with the consent in writing of such persons to act shall be sent to reach him by 31st May next before the date of the Ordinary Meeting to be held in that year. The nomination must be signed by twenty Members and after the 1st day of January 1937 such Members must have been in the Service for not less than ten years. For the purposes of all elections to be held after the year 1927 the names of all such candidates shall be announced on the Balance Sheet issued to the Members one week before the Meeting ;

(d) Every election shall in the first instance be by show of hands at the Ordinary Meeting provided that if a poll be demanded by at least thirty Members present and voting

(i) the election shall be by voting papers to be issued after such meeting in manner hereinafter provided and to be returned to the Secretary within twenty days of the date of issue ;

(ii) each Member shall have as many votes as there are Members' Committee-men to be elected and shall not give more than one vote to any one candidate ;

(iii) scrutineers shall be appointed at such Ordinary Meeting by the vote of the Members present and voting ;

(iv) the Secretary shall within fourteen days after such meeting issue voting papers to each Member and make all necessary arrangements for taking the vote ;

(v) 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 ;

(vi) the voting papers shall state the date of issue thereof and the names in alphabetical order of the candidates and shall contain a notice that the vote will be lost unless the voting paper be returned to the Secretary within twenty days of the date of issue ;

(e) The voting papers relating to any poll shall be examined and the result of the election ascertained by the Scrutineers who shall inform the Secretary thereof and the voting papers shall be retained for one month after the last day for the return of voting papers to the Secretary when they shall be destroyed. The result of the voting certified by the Scrutineers shall in such manner as the Committee may determine be announced by the Secretary within eight weeks of the date of the meeting at which the poll was demanded ;

(f) Between the date of any Ordinary Meeting at which a poll is demanded and the declaration of the result of the poll the Members' Committee-

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men who were in office immediately before such Ordinary Meeting shall remain in office ;

(g) Any casual vacancy in the office of Members' Committee-man caused by death or resignation shall be filled up by the remaining Members' Committee-men and the Committee shall advise the Members of such appointment in such manner as the Committee may decide. The person so appointed shall retain his office until the next election but he shall then be eligible for re-election without any notice being given in that behalf. Provided always that pending the appointment of a Members' Committee-man or Members' Committee-men to fill any casual vacancy or vacancies the Committee may exercise all its powers notwithstanding such vacancy or vacancies ;

(h) Each of the Members' Committee-men shall subject as hereinbefore provided remain in office until he shall die or resign (which resignation may be effected by him on giving twenty-one days' notice in that behalf to the Secretary) or until some other person shall be elected in his place under the provisions of this Clause.

VII.—MEETINGS.

Date of Ordinary Meeting.

38. An Ordinary Meeting of the Members shall be held on the last Wednesday in June in every year at such time and place as the Committee shall from time to time appoint for the conduct of the general business of the Association and (except in the case of the Ordinary Meeting to be held in the year 1927) for the purpose of receiving the Annual Statement of Accounts and Balance Sheet.

Notice of Motion.

39. Any Member desiring to propose at any Ordinary Meeting a motion relating to the affairs or administration of the Association or the Fund must give notice to reach the Secretary by 31st May next before the date of the Meeting.

Extraordinary Meeting.

40. Extraordinary Meetings of the Members may from time to time be called by the Committee and shall be held at such time and place as the Committee shall appoint.

Advertisement calling Extraordinary Meeting.

41. The advertisement or other notice calling any Extraordinary Meeting shall particularise the business to be transacted thereat and no business not so particularised shall be transacted thereat.

Notice of Meetings.

42. The Committee calling any General Meeting shall give not less than seven days' and not more than fifteen days' notice by advertisement or otherwise as the Committee may determine of the day place and hour appointed

for the Meeting. The date place and hour of each Ordinary Meeting subsequent to the Ordinary Meeting to be held in the year 1927 shall be shown in the report accompanying the Balance-sheet as on the 31st December next before the date of such Meeting and when any adjournment is made for more than seven days the Committee shall give at least four days' notice of the adjourned meeting such days to be respectively inclusive of the days of giving the same and the days of meeting.

43. Every General Meeting shall before proceeding to business appoint a Chairman from among the Contributing Members present thereat. Chairman of General Meeting.

44. All questions at a General Meeting shall subject to the regulations in Clauses 37 and 54 with regard to the election of Members' Committee-men and of the Members' Auditor be decided by open voting of the Members present thereat. Voting at General Meeting.

45. General Meetings are to be adjourned in accordance with the following regulations :— Adjournment of General Meeting.

(a) If twenty Members shall not be present in person within one hour after the time appointed for the Meeting it shall ipso facto stand adjourned to that day week at the same place and hour and if need be so from week to week until such twenty Members shall be present ;

(b) In every other case the Meeting may adjourn at pleasure to any later hour in the same day or to any later day as may be determined by a majority of the Members present.

46. Minutes of the proceedings of any General Meeting shall thereat or with all convenient speed thereafter be recorded by the Secretary in a book kept for that purpose and be signed by the person in the chair at such Meeting or in case of his default or incapacity by any three or more of the Members present thereat and such minutes when so recorded and signed shall in the absence of proof of error therein be considered as an accurate record of the proceedings. Minutes of General Meeting.

47. No General Meeting shall have any powers except such as are conferred upon it expressly or by implication by this Scheme. Powers of General Meeting.

VIII.—OFFICERS.

(A) SECRETARY.

48. The Committee shall from time to time appoint one of the staff of the Company to be Secretary with the consent of the Directors as to the individual selected. Appointment of Secretary.

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Remuneration
of Secretary.

49. The remuneration of all services performed in carrying this Scheme into effect by the Secretary or others shall be paid by the Company.

Duties of
Secretary.

50. The Secretary shall keep the Records Books and Papers relating to the Association and the business thereof allowing such inspection as hereinafter provided.

He shall receive and report to the Committee all applications for membership of the Fund and for allowances out of the Fund resignations deaths and other matters to be brought under the consideration of the Committee.

He shall give notice of all General Meetings called by the Committee.

He shall 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.

He shall perform such other duties with reference to carrying out this Scheme as the Committee from time to time appoint.

Temporary
substitute for
Secretary.

51. A temporary substitute for the Secretary may at any time be appointed by the Committee with the consent of the Directors.

(B) AUDITORS.

Auditors.

52. There shall be two Auditors one of whom shall be called the Directors' Auditor and the other the Members' Auditor.

Directors'
Auditor.

53. The Directors' Auditor shall be appointed by the Directors to hold office so long as they shall from time to time resolve.

Members'
Auditor.

54. The Members' Auditor shall be a Member and shall be nominated and elected and hold office in the same manner as the Members' Committee-men as provided by the Regulations in Clause 37 so far as the same apply. The Contributors' Committee-men who are members of the Provisional Committee referred to in Clause 31 may appoint an Auditor to act till one is appointed by Members under this Clause.

Vacancy in office
of Members'
Auditor

55. Whenever a vacancy in the office of Members' Auditor shall occur by such Auditor dying or resigning the Committee shall call an Extraordinary Meeting for some day not less than seven days nor more than one month after such vacancy shall have occurred for the purpose of filling up such vacancy.

(C) ACTUARY.

Actuary.

56. The Directors shall appoint an Actuary who shall make an investigation of the position of the Fund as on 31st December 1931 and

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thereafter at successive intervals of five years and shall report to the Committee thereon. Provided that the Committee may at any time after the 31st December 1931 direct such an investigation and report notwithstanding that an interval of five years has not elapsed since the last preceding investigation and report.

(D) GENERALLY.

57. On being required in such behalf the Directors shall from time to time give or cause to be given to the Committee or to any Member and the Committee shall from time to time give or cause to be given to the Directors or to any Member all such information as may be in their power respectively as to whether any office under this Scheme is vacant or full and as to the happening or not of any event upon which or in consequence whereof any General Meeting ought to be or may be called.

Directors and Committee to give certain information.

IX.—ACCOUNTS AND AUDIT.

58. The Committee shall cause full and true accounts up to 31st December in each year to be kept of the Fund and of all sums of money expended in such year under this Scheme by the Committee and all persons employed by or under them and of the matters and things for which such sums of money shall have been disbursed and paid and shall cause full and true records to be kept of the times of commencement of membership of the dates of first contributions and of all other chronological and other facts necessary or proper to be recorded and shall also cause a register to be kept of the Members distinguishing between those who are Contributing Members and those who are not.

Accounts to be kept.

59. The Committee may at their discretion on the written request of a Member authorise the inspection of the records of the Fund.

Inspection of Records.

60. The accounts of the Fund shall be balanced four weeks at least before the day appointed for the Ordinary Meeting in each year after the year 1927.

Balancing of Accounts.

61. Forthwith on the books being so balanced an exact Balance-sheet shall be made up which shall exhibit a true statement of the Fund and the debts if any due and payable thereout at the date of making such Balance-sheet.

Balance-sheet to be made up.

62. The Committee shall deliver to the Auditors the Accounts and Balance-sheet for the year four weeks at least before the day appointed for the Ordinary Meeting with reference to which they are to be balanced and made out respectively together with all means of vouching and verifying the

Accounts and Balance-sheet to be delivered to Auditors.

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same and the Committee and Secretary shall give to the Auditors every assistance in their investigation.

Duty of Auditors.

63. It shall be the duty of the Auditors to receive such Accounts and Balance-sheet and to examine the same.

Auditors may
employ Accountants.

64. It shall be lawful for the Auditors to employ such Accountants and other persons as they shall think proper at the expense of the Fund and they shall either make a Special Report on the said Accounts or simply confirm the same and such report or confirmation shall be made and given to the Committee at least ten days before the day appointed for such Ordinary Meeting as last aforesaid.

Committee to
produce Balance-
sheet at General
Meeting.

65. The Committee shall cause the Balance-sheet and Auditors' Report to be produced to the Members assembled at each Ordinary Meeting.

MANCHESTER SHIP CANAL
(STAFF SUPERANNUATION)
ACT 1926.

A N A C T

To provide for the establishment of a
Superannuation Scheme for officers
and servants of the MANCHESTER
SHIP CANAL COMPANY; and for
other purposes.

[ROYAL ASSENT, 4TH AUGUST, 1926.]

16 & 17 GEORGE V.—SESSION 1926.

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