

Superannuation schemes already established by British Overseas Airways Corporation.

**35.**—(1) No person shall be a member of any pension superannuation or other benefit fund or scheme established by the British Overseas Airways Corporation before the first day of August, nineteen hundred and forty-six, for the benefit of persons employed by the corporation unless he was a member of that fund or scheme immediately before the said day.

(2) The Minister may by regulations make such provision as he thinks necessary for enabling any person who is a member of any fund or scheme so established or who is for the time being participating in any such scheme as is mentioned in the Second Schedule to this Act, to withdraw from that fund or scheme in consideration of being admitted, upon such terms as may be provided for by the regulations, to any scheme established under section twenty-one of this Act.

#### *Supplemental*

Provisions as to offences.

**36.**—(1) Proceedings for an offence against this Act—

- (a) shall not, in England, be instituted except by or with the consent of the Minister or by or with the consent of the Director of Public Prosecutions; and
- (b) shall not, in Northern Ireland, be instituted except by or with the consent of the Minister or by the Attorney-General for Northern Ireland.

(2) Where an offence against this Act has been committed by a body corporate, every person who at the time of the commission of the offence was a director, general manager, secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence, unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

Regulations and order.

**37.**—(1) Any power conferred by this Act on the Minister to make orders or regulations shall be exercisable by statutory instrument.

(2) Any power conferred by this Act to make any Order in Council or order, other than the power conferred by section twenty-seven, shall be construed as including a power, exercisable in the like manner and subject to the like conditions, if any, to vary the Order in Council or order.