Compensated Model School Teachers.

MADE BY THE GOVERNOR AND PRIVY COUNCIL OF NORTHERN IRELAND, IN PURSUANCE OF THE EDUCATION ACT, N.I., 1923, SECTION 70.

1927. No. 61.

WHEREAS a scheme (hereinafter referred to as the Principal Scheme), dated 17th May, 1926, having been framed by the Ministry of Finance after consultation with the Ministry of Education in pursuance of Section 70 of the Education Act (Northern Ireland), 1923, (in this Order referred to as the Act) was approved by Order of the Lord Justices and Privy Council on the 29th July, 1926 :

And whereas it has been deemed desirable to amend the said Principal Scheme in certain particulars :

And whereas an amending scheme to that end has been framed by the Ministry of Finance after consultation with the Ministry of Education, as provided by Sections 70 and 71 of the Act, which amending scheme is set out in the Schedule to this Order :

And whereas the said amending scheme has been laid before both Houses of Parliament and neither such House has, within the period prescribed in that behalf by Section 71 of the Act as amended by Section 4 of the Rules Publication Act (Northern Ireland), 1925, presented an address praying the Governor of Northern Ireland to withhold his assent from the said amending Scheme :

Now I, James Albert Edward, Duke of Abercorn, Governor of Northern Ireland, by and with the advice of the Privy Council of Northern Ireland, in exercise of the powers conferred upon me by the said Section 71 of the Act, do hereby approve of the said amending Scheme.

Given at the Council Chamber, Government House, Hillsborough, this Nineteenth day of May, in the year of our Lord, One thousand nine hundred and twenty-seven.

(Signed), H. M. POLLOCK.
R. DAWSON BATES.
E. M. ARCHDALE.
J. MILNE BARBOUR.
CHARLEMONT.

SCHEDULE.

In pursuance of Sections 70 and 71 of the Education Act (Northern Ireland), 1923, the Ministry of Finance after consultation with the Ministry of Education hereby frames the following Scheme for amending the Public Elementary School

Teachers' Superannuation Scheme, 1926 (hereinafter referred to as "the Principal Scheme"):—

PART I.

1—(1) This part of this Scheme shall apply to those teachers to whom compensation (hereinafter referred to as "the compensation award") has been awarded by the Civil Service Committee under the provisions of the Government of Ireland Act, 1920, by reason of their removal from office in consequence of the transfer of Model Schools to local Education Authorities, and who are re-employed as teachers subsequent to such removal, but save as otherwise provided in this Part of this Scheme the conditions of the Principal Scheme shall continue to apply in the case of such teachers.

(2) The date of the application of this Scheme to each individual teacher shall be the date from which such compensation as aforesaid is awarded.

Interpretation.

2 In relation to teachers to whom this part of the Scheme applies, the definitions of "salary" and "service" in the Principal Scheme are hereby revoked and the following shall be substituted therefor:—

"'Salary' shall mean the remuneration received by the teacher in accordance with the Salaries and Capitation Grants (Compensated Model School Teachers') Regulations, 1927.

'Service,' save as otherwise provided in Article 5 of this Scheme, shall mean the period (subsequent to the commencement of the compensation award) in respect of which the teacher is in receipt of salary as defined in this Article:

Provided that the total number of years of service to be reckoned for pension purposes, when added to the actual service on which the compensation award is calculated, does not exceed 40 years."

Contribution for Pension.

3 The Teacher's contribution under Article 3 of the Principal Scheme shall be 4 per cent. of the salary as defined in Article 2 of this Scheme.

Estimate of Salary.

4 For the average annual salary in Articles 5 (1), 7 (2) and 9 (2) of the Principal Scheme paid in the three years immediately preceding retirement or death, there shall be substituted, for the purposes of this Scheme, in the case of a teacher who retires or dies, as the case may be, within three years from the commencement of the compensation award, the average annual salary over such shorter period as the Ministry may determine.

Condition of grant of Pension or Gratuity.

5—(*a*) Service given under the Principal Scheme prior to the date of the compensation award shall be included for the purpose of Articles 7 and 9 of the Principal Scheme in the period of ten years therein referred to.

(*b*) Broken periods of pensionable service, amounting in the aggregate to less than twelve months, in excess of the completed years of actual pensionable service at the date of the compensation award shall be reckoned for the purpose of determining the amount of the pension which may be awarded under Article 5 of the Principal Scheme as amended by this Scheme.

Gratuity to legal personal representative.

6 Where a teacher dies subsequent to the commencement of the compensation award, the sum payable to his legal personal representative shall be either the sum payable under Article 9 of the Principal Scheme as amended by this Scheme or the sum that would have been payable under the Principal Scheme if the teacher had died at the date of removal from office whichever is the greater.

Minimum Pension.

7 Where a teacher, on retirement from the teaching service, is awarded a pension and the amount of such pension, when added to his compensation award, is less than the amount which would have been paid to him in respect of pension under the Principal and any subsequent amending Scheme at the date of his ultimate retirement, if the teacher had not been removed from office, the pension shall be increased by the difference between these amounts.

PART II.

Application.

8 This Part of the Scheme shall apply to a teacher who has received a compensation award and has not elected to be re-employed as a teacher.

Gratuity to legal personal representative.

9 Where a teacher to whom this Part of the Scheme applies dies at any date subsequent to the commencement of the compensation award and the total amount received by him in respect of compensation award is less than the amount which would have been paid under the Principal Scheme to his legal personal representative had the teacher died at the date of removal from office, the difference between these amounts shall be paid out of the Fund to such legal personal representative.

GENERAL.

10 This Scheme may be cited as the Compensated Model School Teachers' Superannuation Scheme, 1927.

Sealed with the Official Seal of the Ministry of Finance, this 26th day of April, 1927, in the presence of

R. E. Thornley.

(L.S.) Assistant Secretary.