Superannuation: Public Elementary Teachers (Religious Orders)

ORDER IN COUNCIL, DATED 24TH JUNE, 1947, APPROVING TEACHERS' SUPERANNUATION SCHEME FRAMED BY THE MINISTRY OF FINANCE IN PURSUANCE OF SECTIONS 70 AND 71 OF THE EDUCATION ACT (NORTHERN IRELAND), 1923.

1947. No. 117

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND.

GRANVILLE

WHEREAS the Ministry of Finance, in consultation with the Ministry of Education has, in pursuance of Sections 70 and 71 of the Education Act (Northern Ireland), 1923 (hereinafter referred to as "the Act of 1923") framed a Superannuation Scheme (hereinafter referred to as "The Scheme") applicable to certain members of Religious Orders who are recognised in Public Elementary Schools in Northern Ireland conducted by such Orders, which Scheme is set out in the Schedule to this Order:

AND WHEREAS the 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 of 1923, 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 Scheme:

NOW, I, WILLIAM SPENCER, EARL GRANVILLE, Knight Commander of the Royal Victorian Order, Companion of the Most Honourable Order of the Bath, Companion of the Distinguished Service Order, Vice-Admiral, 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 Section 71 of the Act of 1923, do hereby approve of the Scheme.

Given at Government House, Hillsborough, this twenty-fourth day of June, 1947.

Basil Brooke
James Andrews
J. M. Sinclair
Edmond Warnock
Brian Maginess
S. C. Porter
Arthur Black

SCHEDULE

In pursuance of Sections 70 and 71 of the Education Act (Northern Ireland), 1923, the Ministry of Finance (hereinafter referred to as " the Ministry ") in consultation with the Ministry of Education, hereby frames the following scheme for applying the Public Elementary School Teachers' Superannuation Scheme, 1926, as amended by the Compensated Model School Teachers' Superannuation Scheme, 1927, the Compensated Model School Teachers' (Amendment) Scheme, 1927, the Teachers' (Public Elementary) Superannuation (Amendment) Schemes, 1930, 1936, 1939, 1940, 1944 and No. 2 of 1944, or any subsequent scheme and all such schemes are hereinafter referred to as " the Principal Scheme as amended ".

1. This scheme shall, subject as hereinafter provided, apply as from the 1st day of April, 1945, (hereinafter referred to as " the operative date ") to members of Religious Orders who are recognised as full-time teachers in public elementary schools in Northern Ireland conducted by such Orders.

2. The Principal Scheme as amended shall apply to the aforesaid teachers subject to the following modifications :—

(*a*) The expression " teacher " shall include all full-time teachers of Religious Orders under the age of 55 on the operative date who have been placed on a personal salary scale with effect from that date or who, being supernumerary to establishment on that date, may hereafter be placed on such scale or who were temporarily out of the service on that date.

(*b*) The expression " service " shall include any period of teaching employment prior to the operative date after the age of 18 years despite the fact that payment for such service was at the time made by means of capitation grant and not by a personal salary.

(*c*) Teachers who were 30 years of age or over on the operative date shall not be required to submit to any test of physical fitness, and a teacher who was under 30 years of age on that date and is found to be medically unfit shall be exempt from the payment of contributions and shall have no rights under this scheme.

(*d*) Teachers who were 55 years of age or over on the operative date shall not be admitted to this scheme.

(*e*) Subject to the provisions of paragraph (*g*) full-time teaching employment in public elementary schools in Northern Ireland before the operative date shall be reckoned for the purpose of pension and additional allowance as follows :—

(i) Between the 1st day of April, 1927, and the operative date in the case of Christian Brother teachers.

(ii) Between the 1st day of February, 1922, and the operative date in the case of Nun teachers.

(*f*) Subject to the provisions of paragraph (*g*) full-time teaching employment in National Schools in Ireland before the 1st day of February, 1922, shall, in the case of Nun teachers, be reckonable for the purpose of pension if it was employment recognised by the Commissioners of National Education.

(*g*) There shall be deducted, with effect from the operative date, from every payment of salary accruing due to a teacher a contribution either of 1% in respect of pension and 1½% in respect of additional allowance or of 1% in respect of pension only, supplemental to the contribution of 5% deductible under the Principal Scheme as amended, for a period or periods equivalent to the period or periods of employment before the operative date reckonable under paragraphs (*e*) and (*f*) for pension and additional allowance or for pension only as the case may be.

Provided that a teacher may elect, within such period as may be determined by the Ministry, not to pay a supplemental contribution in which case the provisions of paragraphs (*e*) and (*f*) shall not apply to him.

(*h*) In the event of the retirement of a teacher before the full amount of his contributions under paragraph (*g*) has been paid so much of these contributions in respect of additional allowance as are still payable, calculated on the amount of his retiring salary, shall be deducted from the superannuation benefits payable to him under this scheme.

3. This Scheme shall apply to Nun Teachers employed in Mount Saint Catherine's Convent Public Elementary School, Armagh, subject to the proviso that the 8th September, 1937, shall be substituted for the 1st April, 1945, as the operative date for the purpose of this Scheme.

4. This Scheme may be cited as the Public Elementary Teachers' (Religious Orders) Superannuation Scheme, 1947.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 16th day of April, 1947, in the presence of

(L.S.) *John I. Cook,*
Assistant Secretary.

Public Elementary School (Teachers' War Service) Regulations, Amending Regulations, No. 7.

REGULATIONS, DATED 24TH FEBRUARY, 1947, MADE BY THE MINISTRY OF EDUCATION UNDER THE TEACHERS' SALARIES AND SUPERANNUATION (WAR SERVICE) ACT (NORTHERN IRELAND), 1939, AS AMENDED BY THE TEACHERS' SALARIES (WAR SERVICE) (AMENDMENT) ACT (NORTHERN IRELAND), 1946, AFTER CONSULTATION WITH THE MINISTRY OF FINANCE.

1947. No. 34

The Ministry of Education (hereinafter referred to as "the Ministry") in pursuance of the powers vested in it by the Teachers' Salaries and Superannuation (War Service) Act (Northern Ireland), 1939, as amended by Section 1 of the Teachers' Salaries (War Service) (Amendment) Act (Northern Ireland), 1946, and of all other powers enabling it in that behalf, and after consultation with the Ministry of Finance, hereby makes the following Regulations :—

1. These Regulations may be cited as the Public Elementary School (Teachers' War Service) Regulations, 1940, amending Regulations, No. 7, 1947.

2. In these Regulations—

(1) the expression "the Principal Regulations" means the Public Elementary Schools Regulations, 1934, as amended by subsequent Regulations other than these Regulations ;

(2) the expression "the said Regulations" means the Public Elementary School (Teachers' War Service) Regulations, 1940, as amended by subsequent Regulations other than these Regulations ;