STATUTORY INSTRUMENTS

1961 No. 745

EDUCATION, ENGLAND AND WALES

The Superannuation (Teaching and Public Boards) Amending Rules, 1961

Made - - - -	14*th April*, 1961
Laid before Parliament	20*th April*, 1961
Coming into Operation	21*st April*, 1961

The Minister of Education, with the consent of the Treasury, in exercise of the powers conferred upon him by sections 2, 11 and 15 of the Superannuation (Miscellaneous Provisions) Act, 1948(**a**), hereby makes the following rules :—

1. These rules may be cited as the Superannuation (Teaching and Public Boards) Amending Rules, 1961, and shall come into operation on the 21st day of April, 1961.

2.—(1) These rules amend the Superannuation (Teaching and Public Boards) Rules, 1951(**b**), as amended by the Superannuation (Teaching and Public Boards) Amending Rules, 1952(**c**), and the Superannuation (Teaching and Public Boards) Amending Rules, 1957(**d**); and the Superannuation (Teaching and Public Boards) Rules, 1951, as so amended, are herein referred to as the principal rules.

(2) For the purpose of the application of the principal rules to any person by reason of the making of these rules, for the references to the date of the coming into operation of the principal rules contained in rules 3, 10, 11 and 18 of the principal rules there shall be substituted references to the date of the coming into operation of these rules.

3. The definition of "Public Board" contained in paragraph (3) (*a*) of rule 1 of the principal rules is revoked and the following substituted—

"'Public Board' means a body named in the Schedule to these rules;"

and at the end of the principal rules there shall be inserted the following—

"*Schedule*

The British Broadcasting Corporation
The British Council
The British European Airways Corporation
The British Overseas Airways Corporation
The Electricity Council
An Electricity Board in England and Wales
The South of Scotland Electricity Board

(**a**) 11 & 12 Geo. 6. c. 33.
(**b**) S.I. 1951/1852 (1951 II, p. 187).
(**c**) S.I. 1952/1012 (1952 I, p. 838).
(**d**) S.I. 1957/1717 (1957 I, p. 690).

The North of Scotland Hydro Electric Board
The Forestry Commission
The Gas Council
An Area Gas Board
The National Coal Board
The National Dock Labour Board
The Nature Conservancy
The Port of London Authority
The United Kingdom Atomic Energy Authority."

4. Paragraph (3) of rule 3 of the principal rules shall not have effect in relation to any person to whom those rules apply by reason of the making of these rules.

5. Paragraph (2) of rule 4 of the principal rules is revoked.

6. In paragraph (*b*) of rule 13 of the principal rules the words " at the times at which and in the manner in which those additional contributions would have become due to the Public Board " are revoked.

7. Rule 17 of the principal rules is amended by adding at the end the following new paragraph—

" (5) Notwithstanding anything contained in paragraphs (2) and (3) of this rule, the modification for which the Teachers Modification Regulations provide shall apply to a person who has been a pensionable employee of the British Broadcasting Corporation, the British European Airways Corporation, the British Overseas Airways Corporation, or the National Dock Labour Board, as it applies to a new entrant, except that—

(*a*) if he had previously been in employment in respect of which he was entitled to benefit under a pension scheme to which regulations made under section 69 (4) of the National Insurance Act, 1946(a), or a Scheme Modification Provision applied, but had not been subject to any provision of such regulations or Scheme Modification Provision modifying the benefits provided by the pension scheme, and then paid contributions to the pension scheme of the British Broadcasting Corporation at the higher rate provided for in that scheme throughout his service with the Corporation, he shall not be subject to the modification for which the Teachers Modification Regulations provide ; and

(*b*) if he had previously been in contributory service and was subject to modification in accordance with the table contained in Schedule III to the Teachers Modification Regulations, he shall continue to be subject to that modification."

8. Rule 20 of the principal rules is amended by adding at the end the following paragraph—

" (4) The provisions of this rule shall not extend to any person whose Public Board employment is treated as approved external service by virtue of any other rules."

9. A transfer value shall not be paid or received under the principal rules, as amended by these rules, in respect of a person transferring to or

(a) 9 & 10 Geo. 6. c. 67.

from Public Board employment, unless the Minister is satisfied that his pension rights in respect of that employment are, or will be, at least substantially equivalent to those obtaining in respect of contributory service.

Concur.

Michael Hughes-Young,
R. Chichester-Clark,
Two of the Lords Commissioners of Her Majesty's Treasury.

14th April, 1961.

Given under the Official Seal of the Minister of Education this 11th day of April, 1961.

(L.S.)

David Eccles,
Minister of Education.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules amend the Superannuation (Teaching and Public Boards) Rules, 1951, which provide for the preservation of the superannuation rights of persons who transfer from pensionable service under the Teachers (Superannuation) Acts to pensionable service under a Public Board, or vice versa. They add the British Broadcasting Corporation, the British Council, the British Overseas Airways Corporation and the British European Airways Corporation, the Forestry Commission and the National Dock Labour Board to the list of bodies which are to be treated as Public Boards for the purpose of the principal Rules. There are other minor and consequential amendments to the principal Rules.