Superannuation: Agricultural and Technical Teachers.

ORDER IN COUNCIL, DATED 15TH AUGUST, 1940, APPROVING TEACHERS' SUPERANNUATION SCHEME FRAMED BY THE MINISTRY OF FINANCE IN PURSUANCE OF SECTIONS 70 AND 71 OF THE EDUCATION ACT (NORTHERN IRELAND), 1923, AND OF THOSE SECTIONS AS APPLIED TO TEACHERS IN AGRICULTURAL SUBJECTS BY AN ORDER MADE BY THE GOVERNOR OF NORTHERN IRELAND IN COUNCIL ON THE 29TH DAY OF MAY, 1925.

1940. No. 104.

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND.

ABERCORN.

WHEREAS a Scheme (hereinafter referred to as " the Principal Scheme ") dated the 13th day of October, 1925, was framed by the Ministry of Finance in consultation with the Ministry of Education and the Ministry of Agriculture, in pursuance of Section 70 of the Education Act (Northern Ireland), 1923 (hereinafter referred to as " the Act of 1923 "), and of that Section as applied to teachers in agricultural subjects by an Order made by the Governor of Northern Ireland in Council on the 29th day of May, 1925, and was approved by Order in Council on the 4th day of February, 1926 :

AND WHEREAS the Principal Scheme was amended by Amending Schemes dated the 16th day of December, 1929, the 15th day of October, 1936, and the 30th day of May, 1939, which were approved by Orders in Council on the 6th day of May, 1930, the 23rd day of November, 1936, and the 31st day of August, 1939, respectively :

AND WHEREAS the Principal Scheme as so amended is hereinafter referred to as " the Principal Scheme as amended " :

AND WHEREAS it has been deemed desirable to amend the Principal Scheme as amended in certain particulars :

AND WHEREAS the Ministry of Finance in consultation with the Ministry of Education and the Ministry of Agriculture has, in pursuance of Sections 70 and 71 of the Act of 1923, framed a Scheme (hereinafter referred to as " the Amending Scheme ") for amending the Principal Scheme as amended, which Amending Scheme is set out in the Schedule to this Order :

AND WHEREAS the 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 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 Amending Scheme :

NOW I, JAMES ALBERT EDWARD, DUKE OF ABERCORN, Knight of the Most Noble Order of the Garter, Knight of the Most Illustrious Order of Saint Patrick, 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, and of all other powers enabling me in that behalf, do hereby approve of the Amending Scheme.

Given at Government House, Hillsborough, this 15th day of August, 1940.

Craigavon.
James Andrews.
John M. Andrews.
R. Dawson Bates.
J. H. Robb.
J. Milne Barbour.
J. C. MacDermott.
Joseph Davison.

SCHEDULE.

In pursuance of Sections 70 and 71 of the Education Act (Northern Ireland), 1923, and of the said Sections as applied to teachers in agricultural subjects by the Order of the Governor in Council dated the 29th day of May, 1925, the Ministry of Finance (hereinafter referred to as "the Ministry"), in consultation with the Ministry of Education and the Ministry of Agriculture, hereby frames the following Scheme for amending the Agricultural and Technical Teachers' Superannuation Scheme, 1925, as amended by the Teachers' (Agricultural and Technical) Superannuation (Amendment) Schemes, 1930, 1936 and 1939, and all such Schemes are hereinafter referred to as "the Principal Scheme as amended."

1.—This scheme shall, subject as hereinafter provided, apply to all Agricultural and Technical teachers in Northern Ireland to whom the Principal Scheme as amended applies who

(*a*) are in service in Northern Ireland on the 1st day of August, 1940, or are temporarily out of the service on that date and, in either such case, had service between the date of admission to the Principal Scheme as amended and the 30th day of June, 1936.

(*b*) retire on pension or gratuity in Northern Ireland between the 1st day of July, 1936, and the 31st day of July, 1940.

Provided that this scheme shall not apply to any teacher who elected under Article 4 of the Teachers' (Agricultural and Technical) Superannuation (Amendment) Scheme, 1936 (which provided for the payment of an additional allowance for service from the 1st day of July, 1936) not to come within the scope of that scheme.

2.—There shall be granted to a teacher who retires and who is eligible for pension or gratuity under the Principal Scheme as amended and to a pensioner or to the legal personal representative of a pensioner to whom this scheme applies an additional allowance equal to one-thirtieth of the average annual salary computed as in the Principal Scheme as amended multiplied by the number of completed years of service, excluding non-contributing service, given between the date of admission to the Principal Scheme as amended and the 30th day of June, 1936, so, however, that the

total additional allowance payable under the Principal Scheme as amended and this scheme shall in no case exceed one and a half times the average annual salary.

3.—Any fraction of a year in excess of the number of completed years of service given between the date of admission to the Principal Scheme as amended and the 30th day of June, 1936, may, if necessary, be added to a fraction of a year in excess of the number of completed years of service given after the 30th day of June, 1936, for the purpose of making up a further completed year of service for the calculation of the additional allowance under this scheme and the Teachers' (Agricultural and Technical) Superannuation (Amendment) Scheme, 1936.

Provided that where the additional allowance is so payable in respect of a further completed year of service the amount shall be reduced by the amount, if any, paid under the provisions of Article 5 of the Teachers' (Agricultural and Technical) Superannuation (Amendment) Scheme, 1936.

4.—Subject to the provisions of Article 5 hereof there shall be deducted from every payment of salary accruing due to a teacher from the 1st day of August, 1940, a contribution of one and a half per cent., supplemental to the contribution deductible under the Principal Scheme as amended, for a period equivalent to the period of his service between the date of admission to the Principal Scheme as amended and the 30th day of June, 1936.

Provided that any teacher employed in teaching service on the 1st day of August, 1940, or temporarily out of the service at that date may elect, within such period as may be determined by the Ministry, not to pay this additional contribution, in which case the provisions of this scheme shall not apply to him.

5.—For the purpose of Article 4 hereof contributions shall be deemed to be payable from the 1st day of August, 1939, and, in addition to the contributions, if any, payable from the 1st day of August, 1940, under Article 4, the arrears of contributions due at the 1st day of August, 1940, in respect of the year commencing on the 1st day of August, 1939, shall, until those arrears are paid off, be deducted at the rate of one and a half per cent. from every payment of salary accuring due to a teacher after the 1st day of August, 1940. The arrears payable in any year shall be calculated on the same salary as the contributions payable in that year.

6.—The amount of additional allowance payable under this scheme to a pensioner shall be abated by the amount of contributions calculated at the rate of one and a half per cent. per annum on his retiring salary for the period of his service between the date of admission to the Principal Scheme as amended and the 30th day of June, 1936.

7.—In the event of the retirement of a teacher before the full amount of his contributions under Article 4, or of his arrears of contributions under Article 5, has been paid so much of these contributions calculated as in Article 6 hereof as are still payable shall be deducted from the additional allowance payable to him under this scheme.

8.—The expression "pension" in the Principal Scheme as amended shall be deemed, unless the contrary intention is apparent, to include the additional allowance under this scheme.

9.—No payments of additional allowance under this scheme shall be made until such date after the end of the period of the present emergency (as defined by Section 12 of the Teachers' Salaries and Superannuation (War Service) Act (Northern Ireland), 1939) as may be determined by the Ministry.

10.—In the event of the death of a pensioner who would have benefited under this scheme but for the operation of Article 9 hereof the additional allowance due to him under this scheme shall, subject to the provisions of the said Article be payable to his legal personal representative.

11.—The additional allowance payable under Article 10 hereof to the legal personal representative of a pensioner shall be abated by the amount, if any, paid to such legal personal representative under Article 15 of the Agricultural and Technical Teachers' Superannuation Scheme, 1925.

12.—This scheme shall apply to teachers who come under the terms of the Teachers' Superannuation (Reciprocal Arrangements) Scheme, 1929, as amended by the Teachers' Superannuation (Reciprocal Arrangements) (Amendment) Scheme, 1935, only in so far as during their service in schools in Northern Ireland Articles 4 and 5 hereof shall have been applied to them.

13.—This scheme may be cited as the Teachers' (Agricultural and Technical) Superannuation (Amendment) Scheme, 1940.

Sealed with the Official Seal of the Ministry of Finance this 31st day of May, 1940, in the presence of

(L.S.) *W. B. Spender,*
Secretary.

Superannuation: Public Elementary Teachers.

ORDER IN COUNCIL, DATED 15TH AUGUST, 1940, APPROVING TEACHERS' SUPERANNUATION SCHEME FRAMED BY THE MINISTRY OF FINANCE IN PURSUANCE OF SECTIONS 70 AND 71 OF THE EDUCATION ACT (NORTHERN IRELAND), 1923.

1940. No. 102.

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND.

ABERCORN.

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

AND WHEREAS the Principal Scheme was amended by Amending Schemes dated the 26th day of April, 1927, the 21st day of July, 1927, the 5th day of December, 1929, the 15th day of October, 1936, and the 14th day of March, 1939, which were approved by Orders in Council on the 19th day of May, 1927, the 20th day of December, 1927, the 27th day of January, 1930, the 23rd day of November, 1936, and the 26th day of May, 1939, respectively :

AND WHEREAS the Principal Scheme as so amended is hereinafter referred to as " the Principal Scheme as amended " :

AND WHEREAS is has been deemed desirable to amend the Principal Scheme as amended in certain particulars :