Provided that in lieu of such payment the Ministry of Education may deduct the said amount from any grants payable to the employer.

(5) In respect of any teacher whose liability to contribute is for the time being in doubt, the Ministry may direct that the teacher's and employer's contributions shall provisionally be collected as prescribed in the foregoing provisions of this rule.

11. Section 25 (1) (*e*)

A teacher shall be deemed to be in service and in receipt of salary at the appropriate full rate notwithstanding that during absence on leave his salary is —

(1) abated because of sickness benefit or injury benefit under the National Insurance Act (Northern Ireland), 1946 ; and/or

(2) is payable at only half the appropriate full rate.

12. Section 25 (1) (*f*)

(1) Application for superannuation benefit shall be made in writing to the Ministry not later than six months after the date from which it begins to accrue or on which it may be paid ; provided that if the application is not made within the six months herein stated, the Ministry may in the case of an annual allowance, award the allowance as from the date of the application.

(2) Where an application for superannuation benefit is made on the ground that the teacher has become permanently incapable through infirmity of mind or body of serving efficiently as a teacher in contributory service, the Ministry may nominate a medical officer to examine the teacher.

(3) The Ministry may extend any time within which anything is to be done under this Rule, provided there are reasonable grounds for so doing.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 7th day of June 1951.

John I. Cook,
(L.S.) Second Secretary.

Allocation of Annual Allowance

RULES, DATED 11TH JULY, 1951, MADE BY THE MINISTRY OF FINANCE UNDER SECTION 14 OF THE TEACHERS (SUPERANNUATION) ACT (NORTHERN IRELAND), 1950.

1951. No. 124

The Ministry of Finance, in exercise of the powers conferred on it by section 14 of the Teachers (Superannuation) Act (Northern Ireland),

1950 (hereinafter referred to as " the Act "), and of all other powers enabling it in that behalf, hereby makes the following Rules :—

1. These Rules may be cited as the Teachers Superannuation (Allocation) Rules (Northern Ireland), 1951.

2. The Interpretation Act, 1889, as applied to Northern Ireland by the Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Rules as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

3. In these Rules, unless the context otherwise requires —

" The Ministry " means the Ministry of Finance ;

" Annual allowance " means an annual superannuation allowance under paragraph (*a*) of sub-section (2) of section 3 of the Act payable otherwise than by reason of infirmity of mind or body ;

" Make an allocation" means surrender part of an annual allowance;

" Beneficiary " means the person in whose favour an allocation is to be made ;

" Option tables " means the tables prepared by the Ministry and for the time being in force showing, according to relative ages, the amount of annual pension or annuity payable under these Rules ;

" Closing date " means the day next preceding the commencement of the teacher's annual allowance, or the last day of the period of three calendar months from the date on which the teacher was supplied with a form of application for allocation of his annual allowance, whichever is the later date.

4. The provisions of sections 16 to 19 and 37 of the Act shall apply with respect to pensions and annuities granted under these Rules and with respect to persons entitled thereto in like manner as they apply to superannuation allowances and other moneys payable under Part I of the Act and to persons entitled thereto.

5.—(1) Benefit granted under the Act and these Rules in respect of a spouse may, at the option of the teacher, be either —

(*a*) a pension payable to the spouse in respect of the period, if any, for which the spouse survives the teacher (hereinafter referred to as " option A ") ; or

(*b*) an annuity payable to the teacher in respect of the period of their joint lives from the date of commencement of the teacher's annual allowance and a pension payable to the spouse in respect of the period, if any, for which the spouse survives the teacher ; and the rate of pension payable to the spouse shall be twice the rate of the aforesaid annuity payable to the teacher (hereinafter referred to as " option B ").

(2) A pension granted under the Act and these Rules in respect of a dependant (other than a spouse) shall be in accordance with option A, that is to say, it shall be payable to the dependant in respect of the period, if any, for which the dependant survives the teacher.

6. The amount of pension or annuity payable by the Ministry in return for each £1 of the teacher's annual allowance surrendered by him shall be the amount, according to the age and sex of the teacher and the age and sex of the beneficiary, shown in the appropriate Option Table in force at the date of commencement of the teacher's annual allowance.

7. A teacher shall not surrender —

(*a*) more than one-third of his annual allowance ; or

(*b*) so much of his annual allowance as would make the amount of the allowance (as reduced by the amount surrendered) payable to him less than the amount of pension payable to the beneficiary after the teacher's death ; or

(*c*) a smaller amount of his annual allowance than would secure for the beneficiary after the death of the teacher a pension equal to one-fourth of the amount of the allowance (as reduced by the amount surrendered) payable to the teacher ; or

(*d*) an amount of his annual allowance which is not an exact number of pounds.

8.—(1) Any teacher who, in accordance with paragraph (*a*) of subsection (1) of section 14 of the Act, is eligible to make an allocation may on applying for his annual allowance notify the Ministry of his desire to consider making an allocation.

(2) As soon as practicable after the receipt of such notification the Ministry shall furnish him with —

(*a*) a copy of the form of application for allocation ;

(*b*) a copy of these Rules and of the Option Tables for the time being in force ;

(*c*) a provisional statement of the amounts of annual allowance and additional allowance expected to be payable to him (if no allocation is made) at the date or probable date of retirement ;

(*d*) a statement of the closing date for the purposes of these Rules.

9. Thereafter the teacher shall, if he desires to make an allocation, furnish to the Ministry on the form A.P.T.1 set out in the Schedule to these Rules the particulars required thereby, and the teacher and the beneficiary shall write their signatures in the appointed spaces on that form. The teacher shall at the same time furnish the Ministry at his own expense with a certified copy of the beneficiary's birth certificate and (in the case of a woman who has been married) the beneficiary's marriage certificate, and any other information or evidence which the Ministry may consider necessary.

10.—(1) For the purpose of satisfying the Ministry that he is of good health, regard being had to his age, the teacher shall, not earlier than three calendar months before the date (according to the provisional statement sent to him by the Ministry) of the commencement of his annual allowance submit himself for examination to a medical officer nominated by the Ministry.

(2) If, as a result of that examination, the Ministry is not satisfied that the teacher is of good health, the teacher shall be so informed, and he shall be given the opportunity of a further examination by the Ministry's medical referee.

(3) The fees payable in respect of any such medical examinations shall be paid by the teacher.

(4) The decision of the Ministry upon the question whether the teacher is of good health shall be final and conclusive.

11. If, in any case in which the Ministry is satisfied that the teacher is of good health, the date of commencement of the teacher's annual allowance is postponed to a date more than three months after the date of the medical examination, the Ministry may, if it thinks fit, require the teacher to undergo such further medical examination as it may direct, but in that event the teacher shall not be required to pay any fees in respect of such further medical examination.

12. If the Ministry is satisfied that the teacher is of good health and is also satisfied with the particulars furnished in connection with the beneficiary under Rule 9, the Ministry shall notify the teacher that he may make an allocation declaration, and shall supply him with the necessary form.

13.—(1) Every allocation declaration shall be made on the form A.P.T.2 set out in the Schedule to these Rules, and shall be lodged with the Ministry before midnight of the closing date.

(2) An allocation declaration which is not lodged with the Ministry before midnight of the closing date or which does not comply with these Rules shall be invalid.

14. As soon as possible after the receipt of an allocation declaration, the Ministry shall inform the teacher concerned whether such declaration is valid or invalid, and shall in the former case furnish him with a statement or estimate of the annual allowance and the annuity, if any, which will be payable to himself and the pension which will be payable to the beneficiary, and in the latter case state the grounds upon which the declaration has been held to be invalid.

15. A teacher may cancel or amend his allocation declaration by notice in writing lodged with the Ministry on the form provided for the purpose at any time before midnight on the day next preceding the commencement of his annual allowance, but, save as is provided in Rule 16, no cancellation or amendment of an allocation declaration shall be permitted after that day.

16. If a teacher who has made a valid allocation declaration is subsequently notified by the Ministry of an alteration in the amount or the estimated amount of his annual allowance, less than 14 days before the closing date, or after the closing date but within six months after the date of commencement of his annual allowance, the teacher may amend that declaration by notice in writing on the form provided for the purpose lodged with the Ministry up to the fourteenth day after the receipt of such notification. Provided that no notice of an amendment of an allocation declaration may be lodged with the Ministry after the closing date except for the purpose of increasing or decreasing the amount of annual allowance to be surrendered by an amount not exceeding the increase or decrease (to the nearest pound) in the amount of annual allowance previously notified to such teacher in accordance with Rule 8.

17. An amendment of an allocation declaration shall not be valid if the allocation declaration as so amended does not comply with these Rules.

18. If any notice, declaration or other document is sent through the post it shall not be deemed to be lodged with the Ministry within the time prescribed by these Rules unless it is posted at a time which will normally ensure its due delivery within the time so prescribed.

19. Where a teacher has been informed in pursuance of Rule 14 that an allocation declaration made by him is valid, that declaration shall remain valid, unless cancelled or amended by him in the manner and within the period permitted by these Rules, notwithstanding that, as a result of a subsequent alteration of the amount, or estimated amount of his annual allowance, the amount of allowance to be surrendered no longer complies with paragraphs (*b*) and (*c*) of Rule 7.

20.—(1) An allocation declaration shall become null and void if either the teacher or the beneficiary dies on or before midnight on the day next preceding the commencement of the teacher's annual allowance or on or before midnight on the day on which the allocation declaration is lodged with the Ministry, whichever day is the later.

(2) Subject to the preceding paragraph of this Rule, an allocation declaration shall have effect as from the first day in respect of which the teacher's annual allowance is payable.

(3) Where, as the result of effect being given to an allocation declaration which is lodged with the Ministry on or after the date of commencement of the teacher's annual allowance any overpayment has been made to the teacher, such overpayment shall be brought into account on the next payment or payments due to him.

21. Where a teacher who is eligible to make an allocation is living at a place outside the British Isles at the date of commencement of his annual allowance, the Ministry may appoint a special closing date for the purpose of these Rules where, owing to circumstances beyond his control and arising out of his living abroad, they are satisfied that the teacher

will not have a reasonable opportunity of carrying through in due time all the steps necessary to enable him to make an allocation.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 11th day of July, 1951 in the presence of

(L.S.) *J. I. Cook*,
Second Secretary.

SCHEDULE

Form A.P.T.1

NOTIFICATION OF THE DESIRE TO MAKE AN ALLOCATION UNDER THE TEACHERS SUPERANNUATION (ALLOCATION) RULES (NORTHERN IRELAND), 1951

PARTICULARS WITH REGARD TO THE TEACHER

1. Name in full ... ...
(Surname in Block Capitals)
2. Date of Birth ... ...
3. School ... ...
4. Roll number ... ...

PARTICULARS WITH REGARD TO THE BENEFICIARY

5. Surname ... ...
(in Block Capitals)
6. Christian Names ... .
(in Block Capitals)
7. Usual address ... ...
8. Date of birth ... ...
9. Sex ... ...
10. If the beneficiary is a woman, has she been married? ... .
If so, state :—
(*a*) her maiden name; and .....
(*b*) whether she has been married more than once .....
11. Is the beneficiary a relation of the teacher? ... .
If so, state what relation .....
12. If the beneficiary is a person other than the wife or husband, as the case may be, of the teacher, is the beneficiary wholly dependent upon the teacher for support, or only partially dependent? ... ...
If only partially dependent, state :—
(*a*) the amount per annum, on the average, contributed by the teacher to the support of the beneficiary; ... .
(*b*) whether the teacher contributes to the support of the beneficiary regularly, or only occasionally, and ... .
(*c*) the annual income of the beneficiary from other sources ... .

13. The beneficiary should write his or her usual signature in the space below, and in the presence of the teacher.

Usual Signature of beneficiary .....

I desire to make an allocation under the Teachers Superannuation (Allocation) Rules (Northern Ireland), 1951, and I declare that the foregoing particulars are true to the best of my knowledge and belief and that the above signature has been written in my presence by the beneficiary.

Signature.....

Private Address.....

.....

Date.....

Form A.P.T.2

ALLOCATION DECLARATION UNDER THE TEACHERS SUPERANNUATION (ALLOCATION) RULES (NORTHERN IRELAND), 1951

I, ...hereby declare that under the
(Name in Full)
Teachers Superannuation (Allocation) Rules (Northern Ireland), 1951, I desire to surrender £ of my annual allowance in return for the grant of

*(*a*) a pension payable in accordance with Option A to.....
(Name in Full)
....., the beneficiary named by me on Form A.P.T.1, or

*(*b*) an annuity payable to me and a pension payable to .....
....., the beneficiary named by me on Form A.P.T.1 in accordance with Option B.

Signature.....

Date.....

Reference No.....

* Strike out either paragraph (*a*) or (*b*) whichever is inapplicable.

Adjustment of Teachers' Annual Allowances in relation to National Insurance

REGULATIONS, DATED 25TH JULY, 1951, MADE BY THE MINISTRY OF FINANCE UNDER SUB-SECTION (4) OF SECTION SIXTY-SIX OF THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946, AS APPLIED BY SECTION 23 OF THE TEACHERS (SUPERANNUATION) ACT (NORTHERN IRELAND), 1950.

1951. No. 129

WHEREAS it is provided by Section 23 of the Teachers (Superannuation) Act (Northern Ireland), 1950, that the power exercisable by a Government Department under sub-Section (4) of Section 66 of the