1967 No. 948

EDUCATION, ENGLAND AND WALES

The Teachers' Superannuation (Amending) Regulations 1967

Made - - - -	22*nd June* 1967
Laid before Parliament	30*th June* 1967
Coming into Operation	1*st July* 1967

The Secretary of State for Education and Science, with the consent of the Treasury and after consultation with representatives of local education authorities and of teachers appearing to him to be likely to be affected, in exercise of the powers conferred upon him by section 1 of the Teachers' Superannuation Act 1967(**a**) hereby makes the following Regulations:—

1. These Regulations may be cited as the Teachers' Superannuation (Amending) Regulations 1967 and shall come into operation on 1st July 1967.

2. Regulation 50 of the Teachers' Superannuation Regulations 1967(**b**) (which provides for the suspension and reduction of the annual superannuation allowances of re-employed teachers) is hereby amended as follows:—

(*a*) for paragraph (2) there shall be substituted the following paragraph:—

"(2) For the purposes of this regulation—

(*a*) the last salary of a re-employed teacher shall be the highest salary at which, before superannuation allowances last became payable to him, he had been employed in reckonable service, external service or service which would have been such service if he had not attained the age of seventy, reduced by the amount of any part of the annual superannuation allowance payable to him which he has allocated under section 1 of the Act of 1937 or Part VI; and

(*b*) the notional salary of a re-employed teacher shall be—

(i) in respect of any period before the beginning of July 1967, the highest salary at which he had at any time been employed in reckonable service, external service or service which would have been such service if he had not attained the age of seventy; and

(ii) in respect of any period after the beginning of July 1967, the salary which he would receive if he were employed in the same or similar service to that in which, when employed in reckonable service, external service or service which would have been such service if he had not attained the age of seventy, he received the highest salary

reduced as aforesaid in each case."

(**a**) 1967 c. 12. (**b**) 1967/489 (1967 I, p. 1562).

(*b*) for sub-paragraph (*b*) of paragraph (3) there shall be substituted the following sub-paragraph:—

"(*b*) in a case to which paragraph (1)(*b*) above applies—

(i) be suspended in respect of any quarter for which his remuneration is not less than his notional salary for that quarter; or

(ii) be reduced in respect of any quarter for which his remuneration is less than his notional salary by such an amount as will, in respect of that quarter, result in the aggregate of the allowance, any increase of the allowance under the Pensions (Increase) Acts 1920 to 1965 and the remuneration being equal to his notional salary.";

(*c*) sub-paragraph (*b*) of paragraph (4) shall cease to have effect; and

(*d*) at the end there shall be added the following paragraph:—

"(6) Any question arising under this regulation as to the amount of the notional salary of a re-employed teacher shall be decided by the Secretary of State and his decision thereon shall be final."

Given under the Official Seal of the Secretary of State for Education and Science on 20th June 1967.

(L.S.) *Anthony Crosland,*
Secretary of State for Education and Science.

We concur *Joseph Harper,*

B. K. O'Malley,
Two of the Lords Commissioners of Her Majesty's Treasury.

22nd June 1967.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations provide that the pension payable to a teacher who is re-employed in part-time teaching or in other government aided work shall be reduced by reference to the salary he would receive if employed in the same or similar service to that in which he received his highest salary instead of by reference to such highest salary.