1961 No. 158

EDUCATION, ENGLAND AND WALES

The Teachers Superannuation Amending Rules, 1961

Made - - - -	*25th January*, 1961
Laid before Parliament	*1st February*, 1961
Coming into Operation	*2nd February*, 1961

The Minister of Education, with the consent of the Treasury and after consultation with representatives of local education authorities and teachers affected, in exercise of the powers conferred upon him by section 17 of the Teachers (Superannuation) Act, 1925(a), hereby makes the following rules :—

1. These rules may be cited as the Teachers Superannuation Amending Rules, 1961, and shall come into operation on the second day of February, 1961.

2.—(1) In these rules—

(*a*) expressions used therein which are defined by the Mental Health Act, 1959(b), shall have the meaning given to them by that Act;

(*b*) references to any enactment shall be construed as references to that enactment as amended or extended by any subsequent enactment.

(2) The Interpretation Act, 1889(c), shall apply for the interpretation of these rules as it applies for the interpretation of an Act of Parliament.

3. The following are the teachers to be treated as in contributory service for the purposes of paragraph (*dd*) of subsection (1) of section 1 of the Teachers (Superannuation) Act, 1945(d), (as contained in the Seventh Schedule to the Mental Health Act, 1959), namely—

(*a*) a teacher employed in a hospital vested in the Minister of Health under the National Health Service Act, 1946(e), for the purpose of instructing, training or superintending the occupation of persons suffering from severe subnormality, subnormality or psychopathic disorder;

(*b*) a teacher employed by a voluntary organisation to which a local health authority is making contributions under section 28 of the National Health Service Act, 1946, for the purpose of instructing, training or superintending the occupation of persons suffering from severe subnormality, subnormality or psychopathic disorder, whether in the home of such a person, in a centre or residential accommodation provided in pursuance of arrangements made by a local health authority under the said section 28, in a mental nursing home or residential home for mentally disordered persons, or in a centre or residential accommodation provided by a local authority under Part III of the National Assistance Act, 1948(f);

(*c*) a teacher employed by a local health authority in the exercise of its functions under the said section 28 for the purpose of instructing, training or superintending the occupation of mentally disordered persons,

(a) 15 & 16 Geo. 5. c. 59. (b) 7 & 8 Eliz. 2. c. 72. (c) 52 & 53 Vict. c. 63.
(d) 8 & 9 Geo. 6. c. 14. (e) 9 & 10 Geo. 6. c. 81. (f) 11 & 12 Geo. 6. c. 29.

whether in the home of such a person, in a centre or residential accommodation provided by a local health authority under the said section 28, in a mental nursing home or residential home for mentally disorded persons, in a home or other accommodation provided by a local authority under section 15 of the Children Act, 1948(a), or in a centre or residential accommodation provided by a local authority under Part III of the National Assistance Act, 1948:

Provided that paragraph (c) shall not apply to a teacher who, at the date of the coming into operation of these rules, is, or is deemed to be, a contributory employee or local Act contributor within the meaning of the Local Government Superannuation Act, 1937(b).

4. Paragraphs (*d*), (*e*) and (*f*) of rule 6 of the Teachers Superannuation Amending Rules, 1947(c), and rules 5 and 6 of the Teachers Superannuation Amending Rules, 1948(d), are hereby revoked.

Concur.

P. E. O. Bryan,
David Gibson-Watt,
Two of the Lords Commissioners of Her Majesty's Treasury.

25th January, 1961.

Given under the Official Seal of the Minister of Education this 18th day of January, 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 prescribe the kinds of teaching work in connection with mentally disordered persons which will be contributory service under the Teachers (Superannuation) Acts. They are made in the light of the changes introduced by the Mental Health Act, 1959, but do not depart in substance from the existing rules which are revoked.

(a) 11 & 12 Geo. 6. c. 43. (b) 1 Edw. 8 & 1 Geo. 6. c. 68.
(c) S.R. & O. 1947/493 (Rev. VI, p. 431: 1947 I, p. 584).
(d) S.I. 1948/1801 (Rev. VI, p. 437: 1948 I, p. 758).