1971 No. 403

EDUCATION, ENGLAND AND WALES

The Teachers' Superannuation (Amendment) Regulations 1971

Made - - - -	10*th March* 1971
Laid before Parliament	19*th March* 1971
Coming into Operation	1*st April* 1971

The Secretary of State for Education and Science, with the consent of the Minister for the Civil Service and after consultation with representatives of local education authorities and of teachers appearing to her to be likely to be affected, in exercise of the powers conferred on her by section 1 of the Teachers' Superannuation Act 1967(**a**) as read with the Minister for the Civil Service Order 1968(**b**) hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Teachers' Superannuation (Amendment) Regulations 1971 and shall come into operation on 1st April 1971.

(2) The Teachers' Superannuation Regulations 1967 to 1970(**c**) and these Regulations may be cited together as the Teachers' Superannuation Regulations 1967 to 1971.

2.—(1) In these Regulations the expression "the principal Regulations" means the Teachers' Superannuation Regulations 1967(**d**).

(2) The Interpretation Act 1889(**e**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

3. Except as in these Regulations expressly provided, the amendment of the Teachers' Superannuation Regulations 1967 to 1970 by these Regulations shall not—

(*a*) affect the previous operation of those Regulations or anything duly done or suffered under those Regulations; or

(*b*) affect any right, obligation or liability acquired, accrued or incurred under those Regulations before the coming into operation of these Regulations.

4. In regulation 6 of the principal Regulations (which relates to external service) the following words shall be added at the end of paragraph (3):—

"or has received payment of superannuation allowances by virtue of regulation 41(1)(*a*)."

(**a**) 1967 c. 12. (**b**) S.I. 1968/1656 (1968 III, p. 4485).
(**c**) S.I. 1967/489,948,1286, 1968/1353, 1969/80, 1970/10, 753 (1967 I, p. 1562; II, pp. 2904, 3721; 1968 II, p. 3753; 1969 I, p. 241; 1970 I, p. 11; II, p. 2394).
(**d**) S.I. 1967/489 (1967 I, p. 1562). (**e**) 1889 c. 63.

5. In regulation 13 of the principal Regulations (which relates to intervals of service) the following paragraph shall be added after paragraph (2):—

"(3) A period which is reckonable service by virtue of this regulation shall not be a period of employment for the purposes of regulation 51 or of regulation 5 of the Teachers' (Part-time) Superannuation Regulations 1967(a)."

6. In regulation 16 of the principal Regulations (which relates to exclusion from reckonable service) the following paragraphs shall be added after paragraph (2):—

"(3) Subject as in paragraph (4) provided, service after the beginning of April 1971 of a person as a teacher in a special school maintained by a local education authority shall not be reckonable service if—

(*a*) immediately before the beginning of April 1971 he was a contributory employee or a Local Act contributor within the meaning of the Local Government (Superannuation) Act 1937(b) or an officer to whom Part II of the National Health Service (Superannuation) Regulations 1961(c) applied; and

(*b*) he was transferred to the employment of a local education authority by an order made under section 1(2) of the Education (Handicapped Children) Act 1970(d).

(4) Paragraph (3) shall not apply to—

(*a*) a person who before the beginning of July 1971 otherwise elects by notice in writing to the Secretary of State and to either the local authority maintaining the superannuation fund to which he was a contributor immediately before the beginning of April 1971 or the Secretary of State for Social Services, whichever shall be appropriate;

or

(*b*) a person whose service as a teacher in a special school is discontinued."

7. In regulation 29 of the principal Regulations (which relates to the payment of contributions on reduction of salary) for sub-paragraph (*b*) of paragraph (1) there shall be substituted the following sub-paragraph:—

"(*b*) within six months after the commencement of such reduction elects, with the approval of the Secretary of State, that it shall apply to him and has not withdrawn that election by notice in writing to the Secretary of State."

8. In regulation 50 of the principal Regulations (which relates to re-employed teachers) the words "Class B external service" shall be omitted from sub-paragraph (*a*) of paragraph (1).

9. To the bodies specified in paragraph (2) of regulation 70 of the principal Regulations (which relates to organisers) there shall be added the Council for National Academic Awards.

(a) S.I. 1967/1286 (1967 II, p. 3721).
(b) 1937 c. 68.
(c) S.I. 1961/1441 (1961 I, p. 2824).
(d) 1970 c. 52.

10. Part I of Schedule 1 to the principal Regulations (which specifies the kinds of service as a teacher which are reckonable service) shall be amended as follows:—

(*a*) for paragraph 6 there shall be substituted the following paragraph:—

"6. Teacher in an establishment of further education, other than a university or college of a university, in respect of which grants are made to the governing body thereof by the Secretary of State or a local education authority.";

(*b*) for paragraph 10 there shall be substituted the following paragraph:—

"10. Teacher in—

(*a*) a remand home provided under section 77 of the Children and Young Persons Act 1933(**a**);

(*b*) a school approved under section 79 of the Children and Young Persons Act 1933;

(*c*) a community home within the meaning of Part II of the Children and Young Persons Act 1969(**b**); or

(*d*) a home provided under section 64 of the Children and Young Persons Act 1969,

being a teacher who is a qualified teacher within the meaning of the Schools Regulations 1959(**c**) or was previously employed in reckonable service or class A external service or is recognised by the Secretary of State for Social Services as qualified to teach in such a home or school."; and

(*c*) for paragraph 16 there shall be substituted the following paragraph:—

"16. Teacher in the College of Air Training, Hamble, (other than a flying or navigation instructor and a person subject to a superannuation scheme other than these Regulations) who elects by notice in writing to the Secretary of State that his service in the College shall be reckonable service."

11. For Schedule 4 to the principal Regulations there shall be substituted the following Schedule:—

(**a**) 1933 c. 12.
(**b**) 1969 c. 54.
(**c**) S.I. 1959/364 (1959 I, p. 1584).

SCHEDULE 4

Regulation 32

ADDITIONAL CONTRIBUTIONS IN RESPECT OF PREVIOUS EMPLOYMENT

Age	Method I Periodical Payments			Method II Single Payment		
	Percentage of salary	Annual Reduction in respect of each £1 of reduction of annual superannuation allowance by reason of national insurance		Percentage of salary	Reduction in respect of each £1 of reduction of annual superannuation allowance by reason of national insurance	
(1)	(2)	(3)		(4)	(5)	
	Men and Women	Men	Women	Men and Women	Men	Women
		£	£		£	£
21 and under 25 ...	·30	0·12	0·18	8·80	2·30	2·65
25 „ „ 26 ...	·31	0·13	0·20	8·63	2·40	2·80
26 „ „ 27 ...	·32	0·14	0·21	8·62	2·50	3·05
27 „ „ 28 ...	·33	0·14	0·23	8·61	2·65	3·30
28 „ „ 29 ...	·35	0·15	0·24	8·62	2·75	3·55
29 „ „ 30 ...	·36	0·16	0·26	8·64	2·85	3·85
30 „ „ 31 ...	·38	0·17	0·27	8·66	3·00	4·15
31 „ „ 32 ...	·39	0·18	0·30	8·71	3·10	4·45
32 „ „ 33 ...	·41	0·19	0·32	8·76	3·20	4·80
33 „ „ 34 ...	·43	0·20	0·34	8·83	3·35	5·10
34 „ „ 35 ...	·45	0·21	0·36	8·91	3·50	5·40
35 „ „ 36 ...	·47	0·23	0·38	9·01	3·60	5·75
36 „ „ 37 ...	·50	0·24	0·41	9·11	3·75	6·05
37 „ „ 38 ...	·53	0·26	0·44	9·23	3·90	6·35
38 „ „ 39 ...	·56	0·27	0·47	9·36	4·05	6·70
39 „ „ 40 ...	·59	0·30	0·51	9·50	4·20	7·00
40 „ „ 41 ...	·63	0·32	0·55	9·66	4·35	7·30
41 „ „ 42 ...	·67	0·35	0·59	9·83	4·55	7·65
42 „ „ 43 ...	·72	0·37	0·64	10·03	4·70	7·95
43 „ „ 44 ...	·78	0·40	0·69	10·24	4·90	8·25
44 „ „ 45 ...	·84	0·44	0·75	10·47	5·05	8·60
45 „ „ 46 ...	·91	0·48	0·82	10·70	5·25	8·90
46 „ „ 47 ...	·99	0·53	0·90	10·96	5·45	9·25
47 „ „ 48 ...	1·09	0·58	0·99	11·22	5·65	9·60
48 „ „ 49 ...	1·20	0·64	1·10	11·50	5·90	9·95
49 „ „ 50 ...	1·33	0·72	1·23	11·79	6·10	10·35
50 „ „ 51 ...	1·49	0·81	1·39	12·10	6·35	10·70
51 „ „ 52 ...	1·69	0·93	1·59	12·41	6·60	11·10
52 „ „ 53 ...	1·95	1·07	1·83	12·73	6·85	11·55
53 „ „ 54 ...	2·28	1·27	2·16	13·06	7·10	12·00
54 „ „ 55 ...	2·73	1·53	2·60	13·40	7·40	12·45

12. Schedule 5 to the principal Regulations (which contains provisions in connection with national insurance) shall be amended as follows:—

(*a*) for the sums of £2 19s and £2 8s specified in sub-paragraph (2) of paragraph 2 there shall be substituted the sums of £2·95 and £2·40 respectively;

(*b*) for the Table contained in paragraph 3 there shall be substituted the following Table:—

TABLE

Annual Rate of Salary	Annual Rate of Reduction of Contributions
	£
Not exceeding £468	nil
Over £468 but not exceeding £520	0·40
Over £520 but not exceeding £572	1·25
Over £572 but not exceeding £624	2·10
Over £624 but not exceeding £676	2·95
Over £676 but not exceeding £728	3·80
Over £728 but not exceeding £780	4·65
Over £780 but not exceeding £832	5·50
Over £832 but not exceeding £884	6·35
Over £884 but not exceeding £936	7·20
Over £936	7·65

(*c*) for the sums of £1 14s and £67 15s specified in sub-paragraph (1) of paragraph 4 there shall be substituted the sums of £1·70 and £67·75 respectively;

(*d*) for the Table contained in sub-paragraph (3) of paragraph 5 there shall be substituted the following Table:—

TABLE

Age at date of Modification (1)	Yearly reduction of annual superannuation allowance for each completed year of reckonable service after date of modification	
	Men (2)	Women (3)
	£	£
20 or under	1·70	1·70
21	1·65	1·60
22	1·60	1·53
23	1·55	1·45
24	1·50	1·37
25	1·47	1·30
26	1·45	1·23
27	1·43	1·17
28	1·40	1·13
29	1·35	1·07
30	1·33	1·03
31	1·30	0·97
32	1·27	0·95
33	1·25	0·93
34	1·23	0·90
35	1·20	0·87
36	1·17	0·85
37	1·15	0·83
38	1·13	0·80
39	1·10	0·77
40	1·07	0·75
41	1·07	0·73
42	1·05	0·73
43	1·03	0·70
44	1·00	0·70
45	0·97	0·67
46	0·95	0·65
47	0·95	0·65
48	0·93	0·63
49	0·93	0·63
50 and over	0·93	0·60

(*e*) in the Table contained in paragraph 7, for the sum of £2·9 specified in the last column there shall be substituted the sum of £2·90; and

(*f*) for the sum of £2.9 specified in sub-paragraph (*b*) of paragraph 8 there shall be substituted the sum of £2.90.

13. In regulation 8 of the Teachers' (Part-time) Superannuation Regulations 1967 (which regulation contains provisions in connexion with National Insurance) for the sums of £1 10s and £1 4s specified in paragraph (1) there shall be substituted the sums of £1·50 and £1·20 respectively.

Given under the Official Seal of the Secretary of State for Education and Science on 9th March 1971.

(L.S.)

Margaret Thatcher,
Secretary of State for Education and Science.

Consent of the Minister for the Civil Service given under his Official Seal on 10th March 1971.

(L.S.)

K. H. McNeill,
Authorised by the Minister for the Civil Service.

EXPLANATORY NOTE

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

These Regulations—

(1) Provide for the exclusion from reckonable service under the Teachers' Superannuation Regulations of teachers formerly employed by local health authorities and regional hospital boards for purposes connected with the training of children classified as unsuitable for education at school and transferred under the Education (Handicapped Children) Act 1970 to the employment of local education authorities, unless such teachers otherwise elect (regulation 6).

(2) Alter amounts of money expressed in pounds, shillings and pence to amounts expressed in pounds and new pence (regulations 11, 12 and 13).

(3) Add the Council for National Academic Awards to the bodies by whom employment as an educational organiser may be pensionable under the Teachers' Superannuation Regulations (regulation 9).

(4) Make minor alterations in respect of external service (regulations 4 and 8), intervals of service (regulation 5), payment of contributions on reduction of salary (regulation 7) and the definitions of reckonable service (regulation 10).