1961. No. 115 **[C]**

EDUCATION

Superannuation

Approved External Service

The Ministry of Education in exercise of the powers conferred on it by Section 22 of the Teachers (Superannuation) (Amendment) Act (Northern Ireland), 1956, and of all other powers enabling it in that behalf and with the consent of the Ministry of Finance hereby makes the following Rules:—

1.—(1) These rules may be cited as the Teachers (Superannuation) (Approved External Service) Rules (Northern Ireland), 1961, and shall come into operation on the twenty-second day of May, 1961.

(2) In these rules

"the Act of 1950" means the Teachers (Superannuation) Act (Northern Ireland), 1950(**a**);

"the Act of 1956" means the Teachers (Superannuation) (Amendment) Act (Northern Ireland), 1956(**b**);

"the Acts" means the Teachers (Superannuation) Acts (Northern Ireland), 1950 to 1956;

"employment in the capacity of a full-time teacher" means either employment as a full-time teacher or full-time employment which to a substantial extent involves the control or supervision of teachers.

2. Employment, whether before or after the passing of the Act of 1956, in any of the following categories of service shall, if it is pensionable or if in respect of it contributions are payable to a provident fund, be treated as approved external service for the purposes of Section 13 of the Act of 1950, if it precedes or follows any period of employment in contributory service or follows any period of employment in recognised service, that is to say

(*a*) employment as an educational officer or in some other educational capacity in the service of the British Broadcasting Corporation;

(*b*) employment in the service of the British Broadcasting Corporation otherwise than under paragraph (*a*);

(*c*) employment in the service of the British Council;

(*d*) employment as a person holding a permanent commission in the naval, military or air forces of the Crown or in any of the women's services mentioned in the First Schedule to the Superannuation Act, 1946(**c**), in the capacity of teacher or educational officer or in some other educational capacity;

(*e*) employment as a civil servant, whether in the capacity of a teacher or otherwise, in the service of the Government of any part of Her Majesty's dominions outside the United Kingdom, not being employment which is reckonable for the purposes of any scheme made under Section 42 of the Act of 1950;

(**a**) 1950. c. 33.
(**b**) 1956. c. 22.
(**c**) 9 & 10 Geo. 6. c. 60.

(*f*) employment in the capacity of a full-time teacher in the service of a public authority in any part of Her Majesty's dominions outside the United Kingdom, not being employment which is reckonable for the purposes of any scheme made under Section 42 of the Act of 1950;

(*g*) employment in the service of the United Kingdom Atomic Energy Authority.

Provided that—

(i) except as respects employment in the first category of service aforesaid, the provisions of the Act of 1950 and of the Act of 1956 with respect to the calculation of the average salary of a teacher shall have effect as if the reference therein to contributory and recognised service did not include a reference to service which is treated as approved external service by virtue of these rules;

(ii) as respects employment in any of the categories of service aforesaid, the provisions of paragraphs 1 and 2 of the Second Schedule to the Act of 1956 shall apply as they apply to the category of approved external service therein referred to subject to deductions of the total excess over forty years of aggregate service under sixty under paragraph 1(*a*) and of the total excess over forty-five years of aggregate service under paragraph 1(*b*) instead of the deductions provided for in those paragraphs;

(iii) as respects employment in any of the categories of service aforesaid, it shall be assumed for the purposes of paragraph 7 of the Second Schedule to the Act of 1956 that such employment is not of the kind described in paragraph (*a*) of sub-section (1) of Section 13 of the Act of 1950; and

(iv) employment in any of the categories aforesaid shall not be treated as approved external service if the person employed claims that it shall not be so treated.

3. Nothing in these rules shall cause any pension or any increase of pension to be payable from a date earlier than the date on which these rules come into operation.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 17th day of May, nineteen hundred and sixty-one, in the presence of

(L.S.) *A. C. Williams,*
Secretary.

The Ministry of Finance hereby consents to the foregoing Rules.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 17th day of May, nineteen hundred and sixty-one, in the presence of

(L.S.) *K. R. Shimeld,*
Assistant Secretary.