STATUTORY INSTRUMENTS

1976 No. 841

EDUCATION, ENGLAND AND WALES

The Teachers' Superannuation (Calculation of Average Salary) Regulations 1976

Made - - - -	*27th May* 1976
Laid before Parliament	*10th June* 1976
Coming into Operation	*2nd July* 1976

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 and with such representatives of other persons likely to be affected as appear to him to be appropriate, in exercise of the powers conferred on him by section 9 of the Superannuation Act 1972**(a)** hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Teachers' Superannuation (Calculation of Average Salary) Regulations 1976.

(2) The regulations shall come into operation on 2nd July 1976 and shall have effect as from 1st August 1975.

(3) The Interpretation Act 1889**(b)** shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Calculation of average salary

2.—(1) For purposes of the regulations relating to the superannuation of teachers in England and Wales, in calculating the average salary of a teacher his salary in the period beginning with 1st August 1975 and ending with the day on which section 1 of the Remuneration, Charges and Grants Act 1975**(c)** ceases to be in force shall be treated as including any sums which would have been payable to him in respect of his reckonable service in that period if payment of them had not been withheld, whether by virtue of an enactment or otherwise, in pursuance of the policy mentioned in that section.

(2) Any question which arises under this regulation as to the inclusion of any sum in the average salary of a teacher shall be determined by the Secretary of State and his decision shall be final.

Given under the Official Seal of the Secretary of State for Education and Science on 26th May 1976.

(L.S.)

Fred Mulley,
Secretary of State for Education and Science.

(a) 1972 c. 11.
(b) 1889 c. 63.
(c) 1975 c. 57

Consent of the Minister for the Civil Service given under his Official Seal on 27th May 1976.

(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 provide that, in calculating the average salary of a teacher (which is relevant to the amount of superannuation benefits payable to him), he shall be treated as having been paid sums otherwise payable to him which are withheld in pursuance of the policy set out in the White Paper "Attack on Inflation" (Cmnd 6151) presented to Parliament in July 1975.

The Regulations have retrospective effect by virtue of section 12(2) of the Superannuation Act 1972.

SI 1976/841
ISBN 0-11-060841-0

