6. Clause 7 of the existing Scheme shall be amended by inserting in paragraph (1) (*a*) thereof after the words "National Insurance (Modification of Teachers Pensions) Regulations, 1948" the words "and the National Insurance (Modification of Teachers Pensions) Amending Regulations, 1956(**a**)".

Concur

Martin Redmayne,
Harwood Harrison,
Two of the Lords Commissioners of Her Majesty's Treasury.

15th March, 1957.

Given under the Official Seal of the Minister of Education this 13th day of March, 1957.

(L.S.) *Hailsham,*
Minister of Education.

EXPLANATORY NOTE

(*This Note is not part of the Scheme, but is intended to indicate its general purport.*)

This Scheme amends the Teachers Superannuation (Army Education) Scheme, 1950, by substituting, for the provision which requires a teacher in employment in Army educational service to count such employment as contributory service under the Teachers (Superannuation) Acts, a provision giving him an option so to count it if he wishes.

1957 No. 1297

The Teachers Superannuation (Previous Employment) Rules, 1957

Made - - - -	22*nd July*, 1957
Laid before Parliament	30*th July*, 1957
Coming into Operation	1*st August*, 1957

The Minister of Education with the consent of the Treasury in exercise of the powers conferred upon him by Section 19 of the Teachers (Superannuation) Act, 1956(**b**), hereby makes the following rules:—

1. These rules may be cited as the Teachers Superannuation (Previous Employment) Rules, 1957, and shall come into operation on the first day of August, 1957.

2.—(1) In these rules, unless the context otherwise requires—

"the Act of 1925" means the Teachers (Superannuation) Act, 1925(**c**);
"the Act of 1937" means the Teachers (Superannuation) Act, 1937(**d**);

(**a**) S.I. 1956/1482 (1956 I, p. 1643).
(**b**) 4 & 5 Eliz. 2. c. 53. (**c**) 15 & 16 Geo. 5. c. 59. (**d**) 1 Edw. 8 & 1 Geo. 6. c. 47.

"the Act of 1956" means the Teachers (Superannuation) Act, 1956;

"the Rules of 1926" means the Teachers Superannuation Rules, 1926(a);

"the Regulations for Scotland" means the Teachers (Superannuation) (Scotland) Regulations, 1957(b);

"direction" means a direction under Section 19 of the Act of 1956;

"first class service" has the same meaning as in the Regulations for Scotland;

"salary" means the salary on which a teacher's contributions under section 9 of the Act of 1925 or section 103 of the Education (Scotland) Act, 1946(c), or section 2 of the Act of 1937, or regulation 12 of the Regulations for Scotland, as the case may be, are for the time being calculated.

(2) The reference in rule 7 of these rules to contributory service shall be construed to include a reference to any periods which are treated under section 2 of the Act of 1937 as periods of employment in contributory service for the purposes of Part II of the Act of 1925.

(3) References in these rules to any enactment, regulations or rules shall unless the context otherwise requires be construed as references to the said enactment, regulations or rules as amended by any other enactment, regulations or rules.

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

3.—(1) An application by a teacher for a direction that a period of previous employment shall count as contributory service shall be made to the Minister—

(*a*) in the form contained in the First Schedule to these rules;
(*b*) if the teacher is employed in contributory service at the date of the coming into operation of these rules, within six months of that date;
(*c*) if the teacher is not employed in contributory service at the date of the coming into operation of these rules, within six months of the date when he thereafter becomes so employed.

(2) No direction shall be given in respect of any teacher who, on first entry into employment in contributory service, either was under twenty-five years of age or had reached the age of fifty.

4. A teacher in respect of whom a direction is given shall pay additional contributions in accordance with either Method I as prescribed in rules 5 to 8 or Method II as prescribed in rule 9 of these rules, and the method shall be chosen by him at the time he makes his application.

Additional contributions—Method I

5.—(1) Where a teacher has not attained the age of 55 years at the date of the direction he shall make periodical payments, by way of additional contribution in respect of each year of previous employment which is to count as contributory service, of an amount equal to the percentage of his salary for the time being shown in column (2) of the Second Schedule to these rules opposite to the age in column (1) which was his age at the date of the direction.

(a) S.R. & O. 1926/415 (Rev. VI, p. 421: 1926, p. 429). (b) S.I. 1957/356 (p. 733 below).
(c) 9 & 10 Geo. 6. c. 72. (d) 52 & 53 Vict. c. 63.

(2) Where a teacher has attained the age of 55 years at the date of the direction he shall make periodical payments by way of additional contribution of an amount equal to such percentage of his salary for the time being as the Government Actuary shall determine.

6. If the additional contributions payable by a teacher under the preceding rule, disregarding any reduction to be made under rule 13, would exceed nine per cent. of his salary at the date of the direction the amount of the excess shall be capitalised at such sum as the Government Actuary shall determine, and the teacher shall discharge his liability in respect of the excess by paying that sum, either in one payment or by instalments, under such arrangements as the Minister shall approve.

7.—(1) Additional contributions shall be payable under rule 5 during the contributory service or first class service of the teacher, and during any break in service which does not exceed a continuous period of one year, until he attains the age of 60 years, or until he becomes qualified for the grant of superannuation allowances under paragraph (*d*) of subsection (1) of section 3 of the Act of 1925 or a short service gratuity under section 4 of that Act, or an infirmity allowance or disablement gratuity under the Regulations for Scotland, or until he dies, whichever is the earliest.

(2) During any such break in service as aforesaid the additional contributions shall be paid at the rate at which they were payable immediately before the break in service occurred.

8. If a teacher becomes employed in service which is treated as approved external service for the purposes of section 13 of the Act of 1925 (other than first class service) he shall discharge his liability for additional contributions by paying direct to the Minister such a lump sum as the Government Actuary shall certify to represent the capital value of the amount of his additional contributions outstanding.

Additional contributions—Method II

9.—(1) A teacher shall make one payment direct to the Minister by way of additional contributions.

(2) If he has not attained the age of 55 years at the date of payment, he shall pay, in respect of each year of previous employment which is to count as contributory service, an amount equal to the percentage of his salary at the date of payment shown in column (4) of the Second Schedule opposite to the age in column (1) which was his age at the said date.

(3) If he has attained the age of 55 years at the date of payment, he shall pay an amount equal to such percentage of his salary at the date of payment as the Government Actuary shall determine.

(4) If a teacher is by reason of sickness receiving at the date of payment less than his full salary, the additional contribution under this rule shall be calculated on his full salary.

Payment and return of additional contributions

10. The provisions of subsection (4) of section 9 of the Act of 1925 and of rules 13, 14, 15, 16, paragraphs (1) and (2) of rule 18, and rules 21, 22, 23 and 24, of the Rules of 1926 (which relate to the payment of contributions) shall apply in relation to additional contributions payable under these rules as they apply in relation to contributions payable by teachers under the Act of 1925, but with the modifications that rule 13 shall have

effect as if after the words " period of employment in contributory service " there were *inserted* the words " not before the first day of the month in which the direction is given "; and paragraph (1) of rule 16 shall have effect as if the words " in respect of a period of employment in contributory service " and " in respect of the period " were deleted, and as if for the words " in which the period terminated " there were substituted the words " in which they were payable ".

11. Where the balance of a teacher's contributions is repaid under section 12 of the Act of 1925 the provisions of that section and of rules 12 and 19 of the Rules of 1926 shall apply in relation to additional contributions paid by him under these rules, or under regulation 9 of the Regulations for Scotland, as if they were contributions paid by him under the said Act or to the Secretary of State as the case may be, but with the following modifications—

(*a*) the Proviso to subsection (2) of the said section 12 shall not have effect in relation to additional contributions;

(*b*) paragraph (*a*) of subsection (5) of the said section 12 shall have effect as if there were inserted before the words " together with compound interest thereon " where they first occur, the words " and excluding any additional contributions which have been previously repaid ".

12. If a teacher fails to pay any additional contributions for which he is liable under these rules, or ceases to be liable to pay them because a break in his service has exceeded the period mentioned in rule 7, he shall not be entitled to reckon any period of previous employment as contributory service under section 19 of the Act of 1956, and in such a case the provisions of subsections (1) and (5) of section 12 of the Act of 1925 and of rule 19 of the Rules of 1926 shall apply as if the teacher were entitled to be repaid the balance of his contributions under the said subsection (1) and as if the additional contributions paid by him were contributions paid by him under the said Act.

General

13. If a teacher's annual superannuation allowance is subject to reduction under the National Insurance (Modification of Teachers Pensions) Regulations, 1948(a), his additional contributions shall be reduced by the amount shown in column (3) or column (5) of the Second Schedule, whichever is appropriate.

14. In respect of any fraction of a year added to a teacher's service the percentage figure shown in column (2) or column (4) of the Second Schedule, whichever is appropriate, shall be correspondingly reduced.

15. The *Minister* may extend the time within which anything is required to be done by virtue of these rules if he considers that there are reasonable grounds for so doing.

(a) S.I. 1948/889 (Rev. XVI, p. 298 : 1948 I, p. 2851).

FIRST SCHEDULE

MINISTRY OF EDUCATION

APPLICATION FOR A DIRECTION BY THE MINISTER OF EDUCATION UNDER SECTION 19 OF THE TEACHERS (SUPERANNUATION) ACT, 1956

PART I.—(To be completed by the teacher.)

I* .....

Address.....

Reference Number (Ministry of Education).....

Date of Birth.....hereby apply for the direction of the Minister of Education authorising the payment by me of additional contributions under Section 19 of the Teachers (Superannuation) Act, 1956, in respect of my employment by.....

.....

between..... and....., as.....

.....

If a direction is given I elect to pay the additional contributions under method.....

I am at present employed at (name of school or institution).....

Signature.....

Date.....

* Insert name in full.

PART II.—(To be completed on behalf of the Local Education Authority or Governing Body of the school or institution by whom the teacher was first employed in contributory service.)

Name of school or institution in which first employed.....

.....

Department or Form.....

Whether employed as a specialist and, if so, in what capacity.....

.....

Signature of Authorised Officer.....

Date.....

SECOND SCHEDULE

TABLE PREPARED BY THE GOVERNMENT ACTUARY IN ACCORDANCE WITH SECTION 19 (2) OF THE ACT OF 1956

Age	Annual Contributions			Lump Sum Payment		
	Percentage of remuneration payable by the teacher in respect of each year added	Reduction in annual contribution in respect of each £1 of reduction in the annual superannuation allowance on account of national insurance modification provisions*		Percentage of remuneration payable by the teacher as a lump sum in respect of each year added	Reduction in lump sum payment in respect of each £1 of reduction in the annual superannuation allowance on account of national insurance modification provisions*	
(1)	(2)	(3)		(4)	(5)	
	Men and Women	Men	Women	Men and Women	Men	Women
		£ s. d.	£ s. d.		£ s. d.	£ s. d.
25 and under 26	·31	2 7	3 11	8·63	2 8 0	2 16 0
26 „ „ 27	·32	2 9	4 3	8·62	2 10 0	3 1 0
27 „ „ 28	·33	2 10	4 6	8·61	2 13 0	3 6 0
28 „ „ 29	·35	3 0	4 10	8·62	2 15 0	3 11 0
29 „ „ 30	·36	3 2	5 2	8·64	2 17 0	3 17 0
30 „ „ 31	·38	3 5	5 6	8·66	3 0 0	4 3 0
31 „ „ 32	·39	3 7	5 11	8·71	3 2 0	4 9 0
32 „ „ 33	·41	3 10	6 4	8·76	3 4 0	4 16 0
33 „ „ 34	·43	4 0	6 9	8·83	3 7 0	5 2 0
34 „ „ 35	·45	4 3	7 2	8·91	3 10 0	5 8 0
35 „ „ 36	·47	4 7	7 8	9·01	3 12 0	5 15 0
36 „ „ 37	·50	4 10	8 3	9·11	3 15 0	6 1 0
37 „ „ 38	·53	5 2	8 10	9·23	3 18 0	6 7 0
38 „ „ 39	·56	5 6	9 5	9·36	4 1 0	6 14 0
39 „ „ 40	·59	5 11	10 2	9·50	4 4 0	7 0 0
40 „ „ 41	·63	6 5	10 11	9·66	4 7 0	7 6 0
41 „ „ 42	·67	6 11	11 9	9·83	4 11 0	7 13 0
42 „ „ 43	·72	7 5	12 9	10·03	4 14 0	7 19 0
43 „ „ 44	·78	8 0	13 9	10·24	4 18 0	8 5 0
44 „ „ 45	·84	8 9	15 0	10·47	5 1 0	8 12 0
45 „ „ 46	·91	9 7	16 5	10·70	5 5 0	8 18 0
46 „ „ 47	·99	10 6	18 0	10·96	5 9 0	9 5 0
47 „ „ 48	1·09	11 7	19 10	11·22	5 13 0	9 12 0
48 „ „ 49	1·20	12 10	1 2 0	11·50	5 18 0	9 19 0
49 „ „ 50	1·33	14 5	1 4 7	11·79	6 2 0	10 7 0
50 „ „ 51	1·49	16 3	1 7 10	12·10	6 7 0	10 14 0
51 „ „ 52	1·69	18 7	1 11 9	12·41	6 12 0	11 2 0
52 „ „ 53	1·95	1 1 6	1 16 8	12·73	6 17 0	11 11 0
53 „ „ 54	2·28	1 5 4	2 3 2	13·06	7 2 0	12 0 0
54 „ „ 55	2·73	1 10 7	2 11 11	13·40	7 8 0	12 9 0

* A proportionate reduction shall be made in respect of a reduction of a part of £1.

Concur

Harwood Harrison,
Anthony Barber,
Two of the Lords Commissioners
of Her Majesty's Treasury.

22nd July, 1957.

Given under the Official Seal of the Minister of Education this 18th day of July, 1957.

(L.S.)

Hailsham,
Minister of Education.

EXPLANATORY NOTE

(This Note is not part of the rules, but is intended to indicate their general purport.)

These rules lay down the terms under which a teacher may, by payment of additional contributions, count as pensionable service for the purpose of calculating superannuation allowances a period of employment before entry into teaching service which, in the opinion of the Minister, provided experience of value to him as a teacher.

1957 No. 434

The Teachers Superannuation (Royal Air Force Education) Amending Scheme, 1957

Laid before Parliament in draft
Made - - - - 15*th March,* 1957
Coming into Operation 21*st March,* 1957

The Minister of Education with the consent of the Treasury, in exercise of the powers conferred on him by Section 21 (1) (*b*) of the Teachers (Superannuation) Act, 1925(**a**), as amended by Section 9 of the Superannuation (Miscellaneous Provisions) Act, 1948(**b**), hereby makes the following Scheme:—

1. This Scheme may be cited as the Teachers Superannuation (Royal Air Force Education) Amending Scheme, 1957, and shall come into operation on the 21st day of March, 1957.

2. This Scheme amends the Teachers Superannuation (Royal Air Force Education) Scheme, 1949(**c**), as amended by the Teachers Superannuation (Royal Air Force Education) Amending Scheme, 1952(**d**), (hereinafter referred to as the existing Scheme), and shall be read as one with the existing Scheme.

3. The Interpretation Act, 1889(**e**), shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

(a) 15 & 16 Geo. 5. c. 59.
(b) 11 & 12 Geo. 6. c. 33.
(c) S.I. 1949/2007 (1949 I, p. 1540).
(d) S.I. 1952/2171 (1952 I, p. 847).
(e) 52 & 53 Vict. c. 63.