STATUTORY INSTRUMENTS

1961 No. 2418

EDUCATION, ENGLAND AND WALES

The Teachers Superannuation (Royal Air Force (Civilian)) Scheme, 1961

Laid before Parliament in draft
Made - - - - 19th December, 1961
Coming into Operation 1st January, 1962

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 (Civilian)) Scheme, 1961, and shall come into operation on the first day of January, 1962.

2.—(1) The Interpretation Act, 1889(**c**), shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

(2) In this Scheme, unless the context otherwise requires—

"the Act" means the Teachers (Superannuation) Act, 1925, as amended by any subsequent Act or Regulations;

"Contributory service" means contributory service for the purposes of Part II of the Act;

"Locally entered teacher" means a person engaged elsewhere than in the United Kingdom of Great Britain and Northern Ireland for employment in Royal Air Force teaching service;

1964/419 "Royal Air Force teaching service" means full-time service in the employment of the Air Council in the capacity of a civilian teacher;

"Unhealthy place" means, in relation to Royal Air Force teaching service, a country or place to which Section 42 of the Superannuation Act, 1949(**d**), shall be deemed to have applied at the time of the service by virtue of any Order made by the Treasury under that section.

3. The provisions of Part II of the Act shall apply to persons employed in Royal Air Force teaching service as if such service were contributory service, subject to the following modifications:—

(*a*) The Royal Air Force teaching service of a person who is not a locally entered teacher for any period in an unhealthy place shall be treated as service for one-and-a-half times that period for the purpose of calculating benefits under the Act, but not so as to affect the ascertainment of average salary.

(*b*) Employers' contributions payable under Section 9 of the Act shall be at double rates so far as they are in respect of Royal Air Force teaching service in an unhealthy place by a person other than a locally entered teacher.

(a) 15 & 16 Geo. 5. c. 59.
(b) 11 & 12 Geo. 6. c. 33.
(c) 52 & 53 Vict. c. 63.
(d) 12, 13 & 14 Geo. 6 c. 44.

(*c*) Where the remuneration of a person employed in Royal Air Force teaching service for the time being exceeds his substantive salary as recognised by the Air Council, the excess shall be treated as an emolument.

4. The Royal Air Force teaching service of a locally entered teacher shall not be treated as contributory service unless, within three months after becoming employed in such service or within such longer period as the Minister of Education may allow, that teacher notifies the Minister in writing that he desires his service to be so treated.

5. The Scheme made on the 2nd May, 1930(a) by the Board of Education under Section 21 (1) (*b*) of the Act, as varied by the Teachers Superannuation (Section 21 (1) (*b*)) Varying Scheme, 1946(b), by the Teachers Superannuation (Royal Air Force) (Locally Engaged Teachers) Scheme, 1950(c), and the Teachers Superannuation (Royal Air Force) Varying Scheme, 1952(d), is hereby revoked without prejudice to any rights accrued or obligations incurred thereunder.

Given under the Official Seal of the Minister of Education this 18th day of December, 1961.

(L.S.)

David Eccles,
Minister of Education.

Concur

Michael Noble,
John Peel,

Two of the Lords Commissioners of Her Majesty's Treasury.

19th December, 1961.

EXPLANATORY NOTE

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

This Scheme provides that the service of civilian teachers employed by the Air Council shall under certain conditions be treated as pensionable service under the Teachers (Superannuation) Acts. It re-enacts the provisions of the Scheme dated 2nd May, 1930, and subsequent amendments. The only change of substance is in Clause 3 (*a*), which confines the special benefits for service in an unhealthy place to persons who are not locally entered teachers (referred to in earlier Schemes as " locally engaged teachers ").

(a) S.R. & O. 1930/309 (Rev. VI, p. 454: 1930, p. 486).
(b) S.R. & O. 1946/457 (Rev. VI, p. 455: 1946 I, p. 452).
(c) S.I. 1950/21 (1950 I, p. 585). (d) S.I. 1952/520 (1952 I, p. 846).