# The Teachers Superannuation (Royal Navy Education) Scheme, 1949

## 1949 No. 2008

*Made* - - - - *27th October*, 1949
*Coming into Operation* *1st November*, 1949

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 Navy Education) Scheme, 1949, and shall come into operation on the first day of November, 1949.

**2.** The Interpretation Act, 1889(**c**) applies to the interpretation of this Scheme as it applies to the interpretation of an Act of Parliament.

**3.** In this Scheme unless the context otherwise requires :—

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

" approved external service " means service in Scotland which is approved external service under Section 13 of the Act of 1925 or service in Northern Ireland, the Isle of Man, Jersey or Guernsey which by virtue of any Scheme made under Section 21(1)(*c*) of the Act of 1925 is treated for the purposes of that Act in the same manner as service in Scotland is treated ;

" contributory service " means contributory service for the purposes of Part II of the Act of 1925 ;

" Royal Navy educational service " means full-time service in England, Wales or elsewhere, being service of the kind described in clause 4 of this Scheme, in the capacity of a teacher or in some other capacity which to a substantial extent involves the control or supervision of teachers, by Naval personnel as hereinafter defined ;

" the Minister " means the Minister of Education.

**4.** This Scheme applies to persons of the following classes who are employed on or after the 1st November, 1949 in Royal Navy educational service other than service undertaken by virtue of an enlistment notice served under the National Service Act, 1948(**d**), that is to say—

(*a*) officers holding short service commissions in the Royal Navy or in the Women's Royal Naval Service ; or

(*b*) officers holding temporary commissions in the Royal Navy ; or

(*c*) officers and ratings of the Women's Royal Naval Service serving on extended service engagements or on fixed term engagements ; or

(*d*) ratings of the Women's Royal Naval Service serving on regular engagements of not more than five years duration ; or

(a) 15 & 16 Geo. 5. c. 59.
(b) 11 & 12 Geo. 6. c. 33.
(c) 52 & 53 Vict. c. 63.
(d) 11 & 12 Geo. 6. c. 64.

(*e*) ratings of the Royal Navy and other ranks of the Royal Marines serving on extended service engagements who were previously serving either as National Service men or under voluntary engagements during the period of emergency for the purposes of the Teachers Superannuation (War Service) Act, 1939(**a**).

**5.**—(1) Where any person to whom this Scheme applies was employed in contributory service or approved external service before becoming employed in Royal Navy educational service, his employment in Royal Navy educational service on or after the 1st November, 1949 shall be treated as contributory service: provided that if he was employed in Royal Navy educational service on the 1st November, 1949 and immediately before that date, his said employment shall not be treated as contributory service if he gives notice in writing to the Minister within three months after the said date, or within such longer period as the Minister may allow in any particular case, that he does not wish it to be so treated.

(2) Where any person to whom this Scheme applies was not employed in contributory service or approved external service before becoming employed in Royal Navy educational service his employment in Royal Navy educational service on and after the date on which he gives notice to the Minister that he wishes that employment to be treated as contributory service, or on and after such other date as the Minister may agree in any particular case, being a date not earlier than the 1st November, 1949 shall be treated as contributory service.

**6.** Any person whose employment in Royal Navy educational service on the 1st November, 1949 is treated as contributory service under this Scheme shall also be entitled to have any previous employment in Royal Navy educational service after the 30th September, 1946, or such later date as he may choose, so treated if he gives notice to that effect in writing to the Minister not later than the 31st January, 1950, or such later date as the Minister may allow in any particular case.

**7.**—(1) Where the employment of any person in Royal Navy educational service is treated as contributory service under this Scheme:—

(*a*) contributions shall be payable in respect thereof in accordance with Section 9 of the Act of 1925 as modified by the National Insurance (Modification of Teachers Pensions) Regulations, 1948(**b**); and

(*b*) the salary in respect of that employment which the person is to be regarded as receiving for the purposes of Part II of the Act of 1925 shall be such salary, exclusive of any London area payment, as in the opinion of the Minister he would have received if during the period of his employment aforesaid he had been paid a salary in accordance with the terms of the reports of the Burnham Committees for the time being in force under Section 89 of the Education Act, 1944(**c**).

(2) Where any contributions have been paid by reason of the fact that such previous employment as aforesaid was treated as contributory service under the Teachers Superannuation (War Service) Act, 1939, there shall be such an adjustment of contributions as is needed by reason of the fact that the previous employment is treated as contributory service under this Scheme.

(**a**) 2 & 3 Geo. 6. c. 95. (**b**) S.I. 1948 (No. 889) I, p. 2851. (**c**) 7 & 8 Geo. 6. c. 31.

**8.** In the case of a person whose employment in Royal Navy educational service is treated as contributory service under this Scheme, references in Section 9(1)(*b*) of the Act of 1925, in the Teachers Superannuation Rules, 1926(**a**), and in the Teachers Superannuation (Employers' Contributions) Rules, 1928(**b**), to an " employer " shall be deemed to refer to the Admiralty.

**9.** The National Insurance (Modification of Teachers Pensions) Regulations, 1948, are hereby modified as follows: employment in Royal Navy educational service before the 1st November, 1949 which is treated as contributory service by virtue of this Scheme shall be disregarded for the purpose of determining whether the person having such service is an existing teacher within the meaning of Regulation 4(*b*).

Given under the Official Seal of the Minister of Education this 27th day of October, 1949.

(L.S.) *Geo. Tomlinson,*
Minister of Education.

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EXPLANATORY NOTE

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

The purpose of this Scheme is to enable certain teaching service in the Royal Navy which is not otherwise pensionable to be treated as contributory service under the Teachers (Superannuation) Acts. Under the powers of Section 9(2) of the Superannuation (Miscellaneous Provisions) Act, 1948, the Scheme is applicable retrospectively, at the option of the teacher, to service from 1st October, 1946 (the date on which the present arrangements in the Royal Navy for short-term engagements for teaching service were instituted).

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## The Teachers Superannuation (Workers' Educational Association) Scheme, 1949

### 1949 No. 1015

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|---|---|
| *Made* - - - - | *26th May,* 1949 |
| *Coming into Operation* | *26th May,* 1949 |

The Minister of Education in exercise of the powers conferred upon him by Section 21 (1) (*b*) of the Teachers (Superannuation) Act, 1925(**c**), as amended by Section 3 of the Teachers (Superannuation) Act, 1937(**d**), and by Section 9 of the Superannuation (Miscellaneous Provisions) Act, 1948(**e**), hereby makes the following Scheme :—

**1.** This Scheme may be cited as the Teachers Superannuation (Workers' Educational Association) Scheme, 1949, and shall come into operation on the 26th day of May, 1949.

**2.** The provisions of Part II of the Teachers (Superannuation) Act, 1925, as amended by any subsequent enactment shall apply to persons who on and after the 1st January, 1949, are employed full time in the capacity of a

(a) S.R. & O. 1926 (No. 415) p. 429. (b) S.R. & O. 1928 (No. 200) p. 470.
(c) 15 & 16 Geo. 5. c. 59. (d) 1 Edw. 8 & 1 Geo. 6. c. 47. (e) 11 & 12 Geo. 6. c. 33.