Primary Schools (Salaries and Allowances) (Amendment No. 2) Regulations (Northern Ireland), 1951—(Statutory Rules and Orders of Northern Ireland, 1951, No. 58).

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 3rd day of May, 1951, in the presence of

(L.S.) *G. R. McConnell,*
Assistant Secretary.

REGULATIONS, DATED 30TH MARCH, 1951, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACT (NORTHERN IRELAND), 1947, AFTER CONSULTATION WITH THE MINISTRY OF FINANCE.

1951. No. 58

This Order has been revoked by S. R. & O. 1951, No. 76 and is not printed at length in this Volume.

Superannuation

RULES, DATED 7TH JUNE, 1951, MADE BY THE MINISTRY OF FINANCE UNDER SECTION TWENTY-FIVE OF THE TEACHERS (SUPERANNUATION) ACT (NORTHERN IRELAND), 1950.

1951. No. 106

The Ministry of Finance in exercise of the powers conferred on it by section twenty-five of the Teachers (Superannuation) Act (Northern Ireland) 1950, and of all other powers enabling it in that behalf, hereby makes the following Rules :—

1. These Rules may be cited as the Teachers Superannuation Rules, 1951.

2. The Interpretation Act, 1889, as applied to Northern Ireland by the Interpretation Act, 1921, shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

3. In these Rules, unless the context otherwise requires,

" the Ministry " means the Ministry of Finance ;

" local education authority " has the meaning assigned to that expression by section 2 (1) of the Education Act (Northern Ireland), 1947 ;

" the Act " means the Teachers (Superannuation) Act (Northern Ireland) 1950 ;

"1923 Act Scheme" means any superannuation scheme made under sections 70 and 71 of the Education Act (Northern Ireland), 1923 (whether as originally enacted or as applied by Order-in-Council under section 79 of that Act).

4. For the purposes of the sections of the Act in this Rule mentioned the kinds of service on or after the 1st April, 1951, in this Rule respectively prescribed shall be contributory service —

Section 2 (1) (*a*) (iii)

Service as a teacher in a grant-aided special school as defined in section 6 (5) of the Education Act (Northern Ireland), 1947 (other than a grant-aided special school managed by a local education authority), by any person who possesses the qualifications prescribed by Rule 5 hereof.

Section 2 (1) (*a*) (vii)

Service in a training school (other than a training school managed by the Ministry of Home Affairs or a local authority) approved by the Ministry of Home Affairs under section 106 of the Children and Young Persons' Act (Northern Ireland), 1950, as a teacher by any person who is recognised by the Ministry of Home Affairs after consultation with the Ministry as duly qualified at the date of the service to teach in such a school.

5. Section 2 (2) (*a*)

" A teacher shall be deemed to possess the prescribed qualifications if in accordance with the Regulations of the Ministry of Education for the time being in force he —

(i) is regarded as eligible for permanent recognition as a teacher in a primary school ; or

(ii) is eligible for appointment in an intermediate school, a grammar school, a special school, a nursery school or an institution of further education ; or

(iii) is a teacher in a grant-aided training college."

6. Section 3 (1) (*d*)

The circumstances in which a teacher ceases to be employed in contributory service shall be as follows —

(*a*) either where the number of pupils enrolled in the school has, after the teacher attains the age of 51, declined to such extent that under the Regulations of the Ministry of Education for the time being in force relating to the staffing of primary schools, the number of teachers in the school shall have been reduced ; or

(*b*) the Ministry of Education, has after the teacher attains the age of 51, discontinued recognition of the primary school on

account of a reduction in the number of pupils enrolled in the school.

7. Section 10 (5) (*b*)

Unless the Ministry shall in any particular case otherwise direct interest on contributions paid by a teacher within any financial year ending on the 31st day of March shall begin to run from the 1st day of October in that financial year.

8. Section 10 (6)

The contributions paid by a teacher under a 1923 Act Scheme, the Act, or any statutory superannuation scheme applicable to teachers in any part of Great Britain (excluding any contributions which have been previously repaid), together with compound interest thereon up to the date as at which the balance is to be computed, shall be aggregated and therefrom there shall be deducted the amount of any sums payable to him or to his legal personal representatives under a 1923 Act Scheme, the Act or any statutory superannuation scheme applicable to teachers in any part of Great Britain.

9. Section 11 (1) (*c*)

Service of the following officers on the staff of a grant-aided training college shall be treated as contributory service —

(*a*) Principals, Registrars, Wardens, Matrons and Housekeepers ;

(*b*) Clerk-Typists ; and

(*c*) such other categories as may from time to time be approved by the Ministry.

10. Section 25 (1) (*a*) and (*c*)

(1) Unless the Ministry shall in any particular case otherwise direct, teacher's and employer's contributions shall be collected in accordance with the provisions of this rule.

(2) The Ministry of Education shall deduct the amount of employer's contributions from any grants payable to the employer.

(3) In the case of a teacher whose salary is paid by the Ministry of Education, whether on its own behalf or on behalf of any other person or body of persons, the teacher's contributions shall be deducted from the salary so paid.

(4) In the case of a teacher to whom the foregoing paragraph of this rule does not apply, the employer of such teacher shall deduct the amount of the teacher's contributions from the teacher's salary and shall pay the said amount to the Ministry of Education in such time and in such manner as the Ministry may from time to time direct :

Provided that in lieu of such payment the Ministry of Education may deduct the said amount from any grants payable to the employer.

(5) In respect of any teacher whose liability to contribute is for the time being in doubt, the Ministry may direct that the teacher's and employer's contributions shall provisionally be collected as prescribed in the foregoing provisions of this rule.

11. Section 25 (1) (*e*)

A teacher shall be deemed to be in service and in receipt of salary at the appropriate full rate notwithstanding that during absence on leave his salary is —

(1) abated because of sickness benefit or injury benefit under the National Insurance Act (Northern Ireland), 1946 ; and/or

(2) is payable at only half the appropriate full rate.

12. Section 25 (1) (*f*)

(1) Application for superannuation benefit shall be made in writing to the Ministry not later than six months after the date from which it begins to accrue or on which it may be paid ; provided that if the application is not made within the six months herein stated, the Ministry may in the case of an annual allowance, award the allowance as from the date of the application.

(2) Where an application for superannuation benefit is made on the ground that the teacher has become permanently incapable through infirmity of mind or body of serving efficiently as a teacher in contributory service, the Ministry may nominate a medical officer to examine the teacher.

(3) The Ministry may extend any time within which anything is to be done under this Rule, provided there are reasonable grounds for so doing.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 7th day of June 1951.

John I. Cook,
(L.S.) Second Secretary.

Allocation of Annual Allowance

RULES, DATED 11TH JULY, 1951, MADE BY THE MINISTRY OF FINANCE UNDER SECTION 14 OF THE TEACHERS (SUPERANNUATION) ACT (NORTHERN IRELAND), 1950.

1951. No. 124

The Ministry of Finance, in exercise of the powers conferred on it by section 14 of the Teachers (Superannuation) Act (Northern Ireland),