1972. No. 319 [C]

EDUCATION

Teachers Superannuation Regulations (Northern Ireland) 1972

REGULATIONS, DATED THE 24TH DAY OF NOVEMBER 1972, MADE BY THE MINISTRY OF EDUCATION WITH THE CONSENT OF THE MINISTRY OF FINANCE UNDER ARTICLE 11 OF THE SUPERANNUATION (NORTHERN IRELAND) ORDER 1972 AND UNDER SECTION 61 AND SECTION 103 OF THE NATIONAL INSURANCE ACT (NORTHERN IRELAND) 1966.

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The Ministry of Education on behalf of the Secretary of State, in exercise of the powers conferred upon it by Article 11 of the Superannuation (Northern Ireland) Order 1972(**a**) and of all other powers enabling it in that behalf; and after consultation with representatives of local education authorities, teachers and with such representatives of other persons likely to be affected as required by Article 11(5) of the said Order, and with the consent of the Ministry of Finance, hereby makes the following Regulations, except regulations 21, 48 and 78 and Schedule 5; and having made the consultations required by section 61(3) of the National Insurance Act (Northern Ireland) 1966(**b**) and having been determined by the Ministry of Finance to be the appropriate department under section 103(1) of that Act, in exercise of the powers conferred upon it by those sections and of all other powers enabling it in that behalf hereby makes regulations 21, 48 and 78 and Schedule 5 of the following Regulations—

PART I

GENERAL

Citation and commencement

1.—(1) These Regulations may be cited as the Teachers Superannuation Regulations (Northern Ireland) 1972 and, save as otherwise provided by these Regulations, shall subject to paragraph (2) be deemed to have come into operation on 1st April 1972.

(2) Regulations 43 and 44 shall come into operation on 1st January 1973.

Definitions

2.—(1) In these Regulations

"Act of 1923" means the Education Act (Northern Ireland) 1923(**c**);

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

"Act of 1956" means the Teachers (Superannuation) (Amendment) Act (Northern Ireland) 1956(**e**);

"the Acts of 1950 to 1967" means the Teachers (Superannuation) Acts (Northern Ireland) 1950 to 1967;

"additional superannuation allowance" means an additional superannuation allowance payable under regulation 35 or an additional allowance paid or payable under the corresponding provisions of the Acts of 1950 to 1967;

"age of compulsory retirement" means 31st July next following the age of sixty-five;

"annual superannuation allowance" means an annual superannuation allowance payable under regulation 35 or an annual allowance payable under the Acts of 1950 to 1967;

"average salary", in relation to a teacher employed in reckonable service, means his average salary as calculated under regulation 66(1);

"British Isles" means the United Kingdom, the Channel Islands and the Isle of Man;

"college of education" means an establishment for the training of teachers;

(**a**) S.I. 1972, No. 1073 (N.I. 10).
(**b**) 1966. c. 6. (N.I.).
(**c**) 13 & 14 Geo. 5. c. 21 (N.I.).
(**d**) 1950. c. 33.
(**e**) 1956. c. 22.

"external service" has the meaning assigned to it by regulation 5;

"interchange rules" means rules made under sections 12A and 12B of the Act of 1950;

"local education authority" means—

(*a*) before the establishment of an education and library board under Article 3 of the Education and Libraries (Northern Ireland) Order 1972(f), a local education authority within the meaning of the Education Acts (Northern Ireland) 1947 to 1971, and

(*b*) thereafter, an education and library board as so established;

"medical practitioner" means a registered person within the meaning of the Medical Acts 1956 to 1969;

"Ministry" means the Ministry of Education for Northern Ireland;

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

"qualifying service" has the meaning assigned to it by regulation 6;

"quarter" means a period of three months ending on 31st March, 30th June, 30th September or 31st December;

"reckonable service" has the meaning assigned to it by regulation 4;

"salary" in relation to a teacher employed in reckonable service, means his salary as calculated under regulation 65;

"service" in relation to reckonable service, means salaried employment of a person who at the date of the employment is over eighteen and under the age of compulsory retirement;

"service as a teacher" means service wholly in the capacity of a teacher or service mainly and primarily in the capacity of a teacher in which any other duties are educational and connected with the duties in that capacity;

"short service gratuity" means a gratuity payable under regulation 40;

"superannuation allowances" means annual superannuation allowances and additional superannuation allowances;

"teacher" where the context so requires, includes a person who has ceased to be a teacher.

(2) Expressions in these Regulations (other than those mentioned in paragraph (1) and, except as regards the definition of "the Ministry", other than those mentioned in Article 2 of the Superannuation (Northern Ireland) Order 1972) have the same meanings as in the Education and Libraries (Northern Ireland) Order 1972.

PART II

SERVICE

Recording of service

3.—(1) The Ministry shall maintain a record of the service of every full-time teacher to whom these Regulations apply.

(2) The service of full-time teachers shall as appropriate to each case be recorded as being one of the three types described in regulations 4, 5 and 6.

(f) S.I. 1972, No. 1263 (N.I. 12).