1972. No. 82 **[C]**

EDUCATION

Teachers' Superannuation (Family Benefits) Rules (Northern Ireland) 1972

RULES, DATED 23RD MARCH 1972, MADE BY THE MINISTRY OF EDUCATION UNDER SECTION 11 OF THE TEACHERS (SUPERANNUATION) (AMENDMENT) ACT (NORTHERN IRELAND) 1956 AS AMENDED BY SECTION I OF THE TEACHERS SUPERANNUATION (AMENDMENT) ACT (NORTHERN IRELAND) 1967, WITH THE CONSENT OF THE MINISTRY OF FINANCE.

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The Ministry of Education hereafter called "the Ministry" with the consent of the Ministry of Finance and after consultation with representatives of local education authorities and teachers, in exercise of the powers vested in it by Section 11 of the Teachers (Superannuation) (Amendment) Act (Northern Ireland) 1956(a) as amended by the Teachers Superannuation (Amendment) Act (Northern Ireland) 1967(b) and of all other powers enabling it in that behalf hereby makes the following Rules—

PART I

GENERAL

Citation and commencement

1. These Rules may be cited as the Teachers' Superannuation (Family Benefits) Rules (Northern Ireland) 1972 and shall come into operation on 23rd March 1972.

Revocation

2. The following Rules are hereby revoked:

(1) The Teachers' Superannuation (Family Benefits) Rules (Northern Ireland) 1967(c).

(2) The Teachers' Superannuation (Family Benefits) (Amending) Rules (Northern Ireland) 1968(d).

(3) The Teachers' Superannuation (Family Benefits) (Amending) Rules (Northern Ireland) 1969(e).

(4) The Teachers' Superannuation (Family Benefits) (Amending) Rules (Northern Ireland) 1969 No. 2(f).

(5) The Teachers' Superannuation (Family Benefits) (Amending) Rules (Northern Ireland) 1971(g).

Provided that—

(i) without prejudice to the provisions of sections 28 and 29 of the Interpretation Act 1954(h) any valid election or valid nomination made or deemed to be made or any requirement to make any payment or any pension awarded or anything done under the provisions of the Rules hereby revoked, shall, if in force immediately before the date upon which these Rules come into operation, continue in force notwithstanding such revocation in like manner as if it had been made or deemed to be made or had been required or awarded or done under these Rules and, in so far as it could have been made or been deemed to have been made or been required or awarded or done under a particular provision of these Rules, shall be deemed to have been made or required or awarded or done under that provision;

(ii) any vested interest acquired under any provisions of the Rules hereby revoked shall not be affected by such revocation;

(a) 1956. c. 22.
(b) 1967. c. 3 (N.I.).
(c) S.R. & O. (N.I.) 1967, No. 124.
(d) S.R. & O. (N.I.) 1968, No. 198.
(e) S.R. & O. (N.I.) 1969, No. 218.
(f) S.R. & O. (N.I.) 1969, No. 339.
(g) S.R. & O. (N.I.) 1971, No. 141.
(h) 1954. c. 33.

(iii) where any provision of these Rules confers a benefit upon any teacher or other person which was not conferred by the Rules hereby revoked or which is more beneficial to a teacher or other person than a corresponding provision of the Rules so revoked the said provision of these Rules shall not be construed as relating to any period before these Rules come into operation unless the said provision specifically authorises retrospective effect to be given to it or unless the context otherwise requires.

Definitions

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

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

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

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

"additional allowance" means the additional allowance payable under the Acts to a teacher who has ceased to be employed in reckonable service;

"additional contributions" means the contributions required to be paid by rules 29 and 30;

"annual superannuation allowance" means the annual superannuation allowance payable under the Acts to a teacher who has ceased to be employed in reckonable service;

"average salary" means, in relation to a contributor or deceased teacher, his average salary as calculated under section 7 of the Act of 1950 as amended by section 9 of the Act of 1956;

"approved external service" means service within the meaning of section 13 of the Act of 1950;

"the Board" means the board of management established in accordance with the provisions of Part II;

"child" means:—

(*a*) in Part IV a person who:—

(i) has not attained the age of sixteen; or

(ii) having attained the age of sixteen, is receiving full-time education or undergoing full-time training for a trade, profession or calling, which training is of a duration of not less than two years; or

(iii) having attained the age of sixteen, is an incapacitated person by reason of an infirmity which arose either before he attained that age or while receiving such education or undergoing such training as aforesaid; and

(*b*) in Part V a person who has not attained the age of sixteen;

"contributor and reinstated contributor" has the meaning assigned to it by rule 24(6);

"deceased teacher" has the meaning assigned to it by rule 26(3);

"dependant" in Part V has the meaning assigned to it by rule 60;

(**i**) 1950. c. 33. (**j**) 1956. c. 22.