1967. No. 124 **[C]**

EDUCATION

The Teachers' Superannuation (Family Benefits) Rules 1967

RULES, DATED 31ST MAY 1967, MADE BY THE MINISTRY OF EDUCATION UNDER SECTION 11 OF THE TEACHERS (SUPERANNUATION) (AMENDMENT) ACT (NORTHERN IRELAND) 1956 AS AMENDED BY THE TEACHERS SUPERANNUATION (AMENDMENT) ACT (NORTHERN IRELAND) 1967, WITH THE CONSENT OF THE MINISTRY OF FINANCE.

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RATES OF ADDITIONAL CONTRIBUTIONS—METHOD III

The Ministry of Education hereinafter 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) 1967 and shall come into operation on 1st June 1967.

(a) 1956, c. 22. (b) 1967, c. 3 (N.I.).

Definitions

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

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

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

"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 rule 27;

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

"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" has the meaning assigned to it by rule 22;

"death gratuity" means a gratuity payable under the Acts to the legal personal representatives of a teacher who dies while employed in reckonable service;

"deceased teacher" has the meaning assigned to it by rule 24;

"dependant" in Part V has the meaning assigned to it by rule 55;

"eligible child" means a child, not being a married woman, who is:—

(*a*) a legitimate child of a contributor, born before the contributor dies or becomes entitled to be paid superannuation allowances or within one year of his death or becoming so entitled;

(*b*) an adopted child of a contributor, adopted before the contributor dies or becomes entitled to be paid superannuation allowances;

(*c*) a legitimate or adopted child of a deceased teacher; or

(*d*) a step-child or illegitimate child of a contributor or deceased teacher, or an adopted child of the wife of a contributor or deceased teacher, and wholly or mainly dependent on the contributor before he becomes entitled to be paid superannuation allowances and at the time of his death or on the deceased teacher at the time of his death, as the case may be;

"English teaching service" means reckonable service within the meaning of the Teachers' Superannuation Regulations 1967(**b**);

"the English Regulations" means the Teachers' Superannuation (Family Benefits) Regulations 1966(**c**);

(a) 1950. c. 33. (b) S.I. 1967, No. 489. (c) S.I. 1966, No. 357.

"former English contributor" means a person who has been a contributor within the meaning of the English Regulations;

"former Scottish contributor" means a person who has been a contributor within the meaning of the Scottish Regulations;

"the Fund" means the fund established in accordance with the provisions of Part III;

"gratuity" means the gratuity payable under Section 4 of the Act of 1950;

"incapacitated person" means a person who, in the opinion of the Ministry, is incapable by reason of infirmity of mind or body of earning a livelihood and who is not wholly or mainly supported out of money provided by Parliament or raised by a rate and "incapacitated" shall be interpreted accordingly;

"life pension" in Part V has the meaning assigned to it by rule 66;

"Method I", "Method II" and "Method III" mean the methods of paying additional contributions prescribed by rule 29, 30 and 31 respectively;

"normal contributions" means the contributions required to be paid by rule 26;

"previous service", in relation to a contributor or deceased teacher, means employment before the Scheme established by Part IV becomes, or again becomes, applicable to him in:—

(*a*) reckonable service;

(*b*) Scottish teaching service, being either:—

(i) service before 1st April 1965, if he has not been employed in such service on or after that date; or

(ii) service at any time if, not having been a contributor within the meaning of the Scottish Regulations, he was unmarried either throughout such service after 31st March 1965, or throughout such service other than the last three months thereof and married during the said three months, or after the termination of such service and before becoming employed in reckonable service or while employed in reckonable service;

(*c*) English teaching service, being either:—

(i) service before 1st April 1966, if he has not been employed in such service on or after that date; or

(ii) service at any time if, not having been a contributor within the meaning of the English Regulations, he was unmarried either throughout such service after 31st March 1966, or throughout such service other than the last three months thereof and married during the said three months, or after the termination of such service and before becoming employed in reckonable service or while employed in reckonable service;

"reckonable service" means:—

(*a*) recognised or contributory service within the meaning of the Acts, other than such service in respect of which superannuation contributions have been returned by the Ministry and not subsequently repaid to it;

(*b*) service which is treated as recognised or contributory service within the meaning of the Acts other than:—

(i) service which is so treated under section 13(2)(*g*) of the Act of 1950;

(ii) service which is so treated under any scheme made under section 42(1) of the Act of 1950;