Section 5 of the 1962 Act contains a new code for increasing the retirement pension of a woman in a case where contributions are paid by her husband for a period when he is over 65. In such a case, this code improves the position during widowhood and after retirement of a woman who is under pensionable age during all or part of the period for which her husband paid such contributions. The existing code, contained in the National Insurance Act (Northern Ireland), 1946, continues to apply where both husband and wife were over pensionable age on 25th December, 1961, the day appointed for the operation of the section. These Regulations amend provisions of Regulations relating to women's retirement pensions for the purpose of applying some of these provisions to increases under the new code, and for the purpose of modifying the new code, and further modifying the existing code, in their application to women who marry when over 60.

Section 7(3) of the 1962 Act amends the power to provide for excepting insured persons from liability to pay contributions when their income does not exceed £156 a year by substituting £208 for that amount. These Regulations make corresponding amendments in provisions made under that power.

The Regulations also contain amendments which provide for a widow disqualified for a pension under the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, to be treated as entitled thereto for the purpose of her right to a remarriage gratuity and make provision for the suspension of benefit under that Act in certain circumstances pending appeal or reference.

1962. No. 28 **[C]**

EDUCATION

Superannuation

THE TEACHERS (SUPERANNUATION) (OVERSEAS TERRITORIES RECIPROCITY) SCHEME (NORTHERN IRELAND), 1962*, DATED 22ND FEBRUARY, 1962, MADE BY THE MINISTRY OF EDUCATION UNDER SECTION 42 OF THE TEACHERS (SUPERANNUATION) ACT (NORTHERN IRELAND), 1950, WITH THE APPROVAL OF THE MINISTRY OF FINANCE.

The Ministry of Education for Northern Ireland in pursuance of the powers vested in it by Section 42 of the Teachers (Superannuation) Act (Northern Ireland), 1950(a), as applied by the Ministries (Transfer of Functions) (Teachers Superannuation) Order, 1951(b), and of all other powers enabling it in that behalf, hereby makes the following Scheme:—

This Scheme may be cited as the Teachers (Superannuation) (Overseas Territories Reciprocity) Scheme (Northern Ireland), 1962, and effect is hereby given to the following arrangements made between the Ministry of Education for Northern Ireland and the authorities administering statutory schemes of superannuation in those overseas territories which are specified in the First Schedule to this Scheme.

(a) 1950. c. 33. (b) S.R. & O. 1951, No. 162.

*Laid in draft before each House of Parliament for the statutory period as required by Section 42(2) of the Teachers (Superannuation) Act, Northern Ireland, 1950.

Interpretation

1. In this Scheme unless the context otherwise requires:—

"The Act of 1950" means the Teachers (Superannuation) Act (Northern Ireland), 1950.

"The Act of 1956" means the Teachers (Superannuation) (Amendment) Act (Northern Ireland), 1956.

"The Acts" means the Teachers (Superannuation) Acts (Northern Ireland), 1950 to 1956.

"Northern Ireland pensionable service" means service in respect of which a superannuation allowance or gratuity may be granted under the Acts.

"The Ministry" means the Ministry of Education for Northern Ireland.

"Overseas Scheme" means a statutory scheme of superannuation for school teachers in an Overseas Territory.

"Pensionable Service" means, in relation to an overseas territory, service in the capacity of a teacher in respect of which a pension, allowance or gratuity may be granted under the Overseas Scheme.

Extension of the Northern Ireland Acts

2.—(*a*) Pensionable service in an overseas territory shall, for the purpose of the Acts, be treated in the same manner as service in Great Britain which is approved external service under Section 13 of the Act of 1950, as amended by Section 21 of and the Second Schedule to the Act of 1956, except that—

(i) Paragraph (*c*) of Sub-section (2) of the aforesaid Section 13 (in so far as it relates to the calculation of average salary) shall not have effect; and

(ii) Paragraph 1 of the Second Schedule to the Act of 1956 shall have effect as if it read as follows:—

"(1) where a teacher has been employed in overseas service as well as in contributory or recognised service, and a pension is payable to the teacher in respect of the overseas service, then—

(*a*) if the aggregate of his contributory or recognised service and his overseas service so far as it is served before he has attained the age of 60 years (hereinafter referred to as his aggregate service under 60) exceeds 40 years, there shall unless the Ministry otherwise determines as respects the overseas territory concerned, for the purpose of calculating the amount of an annual allowance under Part I of the Act of 1950 be deducted from the period of his contributory or recognised service a period equal to the excess by which his aggregate service under 60 exceeds 40 years;

(*b*) if the aggregate of his contributory or recognised service and his overseas service, whenever served (hereinafter referred to as his aggregate service), after making any deduction required to be made under paragraph (*a*) hereof, exceeds 45 years, there shall, for the purpose of calculating the amount of any such annual allowance or additional allowance as aforesaid, be deducted from his contributory or recognised service a period equal to the excess by which his aggregate service exceeds 45 years."

(*b*) Where a teacher ceases to serve in pensionable service in an overseas territory at any age lower than sixty years (or at any age lower than fifty-five years if that age were appropriate in a case to which paragraph (*a*) or para-