Monday in August, Christmas Day and the two next following days excluding Sunday, the day appointed to be kept as the Queen's birthday, and all days appointed by proclamation to be observed as days of general fast, humiliation, or thanksgiving or as public holidays in pursuance of the Bank Holidays Act, 1871, the Holidays Extension Act, 1875, or any Act extending or amending the same."

1959. No. 8 **[C]**

EDUCATION

Superannuation

RULES, DATED 15TH JANUARY, 1959, MADE BY THE MINISTRY OF EDUCATION UNDER THE TEACHERS (SUPERANNUATION) ACTS (NORTHERN IRELAND), 1950 TO 1956, WITH THE APPROVAL OF THE MINISTRY OF FINANCE.

The Ministry of Education in exercise of the powers conferred on it by the Teachers (Superannuation) Acts (Northern Ireland), 1950 to 1956, and the Ministries (Transfer of Functions) (Teachers Superannuation) Order, 1951(a), and of all other powers enabling it in that behalf, and with the approval of the Ministry of Finance, hereby makes the following rules:—

1. These rules may be cited as the Teachers (Superannuation) Rules (Northern Ireland), 1959.

2. The rules mentioned in the schedule to these rules are hereby repealed.

3.—(1) In these rules

"the Ministry" means the Ministry of Education;

"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;

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

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any superannuation scheme made under Sections 70 and 71 of the Education Act (Northern Ireland), 1923 (whether as originally enacted or as applied by Order in Council under Section 79 of that Act).

(2) In the headings to the following rules the references to Sections are to the Sections of the Acts under which the rules are severally made.

4. The following kinds of service taking place on or after the 1st April, 1951, shall be contributory service for the purposes of the sections of the Act respectively mentioned in this rule:

(a) S.R. & O. (N.I.) 1951, No. 162.

Section 2(1)(*a*)(iii) *of the Act*—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) *of the Act*—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.

Section 2(2)(*a*) *of the Act*

5. A teacher shall be deemed to possess the prescribed qualifications if in accordance with the Regulations of the Ministry 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.

Section 3(1)(*d*) *of the Act*

6. 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 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 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.

Section 7(1) *of the Act as amended by Section* 8(4)(*a*) *of the* 1956 *Act*

7. The following emoluments shall be excluded from the sums which shall be taken to be the salary of a teacher for the purposes of the Teachers (Superannuation) Acts (Northern Ireland), 1950 to 1956:—

Payments made to teachers in respect of evening work in accordance with Regulations which are made by the Ministry to govern for the time being the salaries and allowances of teachers in Institutions of Further Education.

Section 10(5)(*b*) *of the Act*

8.—(1) Unless the Ministry shall in any particular case otherwise direct and subject to the provisions of paragraph (2), 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.

(2) Interest on contributions paid under Section 9 of the Act or Section 19 of the Act of 1956 shall begin to run from the first day of the financial year following that to which the payment is attributable.