Provided that in lieu of such payment the Ministry of Education may deduct the said amount from any grants payable to the employer.

(5) In respect of any teacher whose liability to contribute is for the time being in doubt, the Ministry may direct that the teacher's and employer's contributions shall provisionally be collected as prescribed in the foregoing provisions of this rule.

11. Section 25 (1) (*e*)

A teacher shall be deemed to be in service and in receipt of salary at the appropriate full rate notwithstanding that during absence on leave his salary is —

(1) abated because of sickness benefit or injury benefit under the National Insurance Act (Northern Ireland), 1946 ; and/or

(2) is payable at only half the appropriate full rate.

12. Section 25 (1) (*f*)

(1) Application for superannuation benefit shall be made in writing to the Ministry not later than six months after the date from which it begins to accrue or on which it may be paid ; provided that if the application is not made within the six months herein stated, the Ministry may in the case of an annual allowance, award the allowance as from the date of the application.

(2) Where an application for superannuation benefit is made on the ground that the teacher has become permanently incapable through infirmity of mind or body of serving efficiently as a teacher in contributory service, the Ministry may nominate a medical officer to examine the teacher.

(3) The Ministry may extend any time within which anything is to be done under this Rule, provided there are reasonable grounds for so doing.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 7th day of June 1951.

John I. Cook,
(L.S.) Second Secretary.

Allocation of Annual Allowance

RULES, DATED 11TH JULY, 1951, MADE BY THE MINISTRY OF FINANCE UNDER SECTION 14 OF THE TEACHERS (SUPERANNUATION) ACT (NORTHERN IRELAND), 1950.

1951. No. 124

The Ministry of Finance, in exercise of the powers conferred on it by section 14 of the Teachers (Superannuation) Act (Northern Ireland),

1950 (hereinafter referred to as " the Act "), and of all other powers enabling it in that behalf, hereby makes the following Rules :—

1. These Rules may be cited as the Teachers Superannuation (Allocation) Rules (Northern Ireland), 1951.

2. The Interpretation Act, 1889, as applied to Northern Ireland by the Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Rules as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

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

" The Ministry " means the Ministry of Finance ;

" Annual allowance " means an annual superannuation allowance under paragraph (*a*) of sub-section (2) of section 3 of the Act payable otherwise than by reason of infirmity of mind or body ;

" Make an allocation" means surrender part of an annual allowance;

" Beneficiary " means the person in whose favour an allocation is to be made ;

" Option tables " means the tables prepared by the Ministry and for the time being in force showing, according to relative ages, the amount of annual pension or annuity payable under these Rules ;

" Closing date " means the day next preceding the commencement of the teacher's annual allowance, or the last day of the period of three calendar months from the date on which the teacher was supplied with a form of application for allocation of his annual allowance, whichever is the later date.

4. The provisions of sections 16 to 19 and 37 of the Act shall apply with respect to pensions and annuities granted under these Rules and with respect to persons entitled thereto in like manner as they apply to superannuation allowances and other moneys payable under Part I of the Act and to persons entitled thereto.

5.—(1) Benefit granted under the Act and these Rules in respect of a spouse may, at the option of the teacher, be either —

(*a*) a pension payable to the spouse in respect of the period, if any, for which the spouse survives the teacher (hereinafter referred to as " option A ") ; or

(*b*) an annuity payable to the teacher in respect of the period of their joint lives from the date of commencement of the teacher's annual allowance and a pension payable to the spouse in respect of the period, if any, for which the spouse survives the teacher ; and the rate of pension payable to the spouse shall be twice the rate of the aforesaid annuity payable to the teacher (hereinafter referred to as " option B ").

(2) A pension granted under the Act and these Rules in respect of a dependant (other than a spouse) shall be in accordance with option A, that is to say, it shall be payable to the dependant in respect of the period, if any, for which the dependant survives the teacher.

6. The amount of pension or annuity payable by the Ministry in return for each £1 of the teacher's annual allowance surrendered by him shall be the amount, according to the age and sex of the teacher and the age and sex of the beneficiary, shown in the appropriate Option Table in force at the date of commencement of the teacher's annual allowance.

7. A teacher shall not surrender —

(*a*) more than one-third of his annual allowance ; or

(*b*) so much of his annual allowance as would make the amount of the allowance (as reduced by the amount surrendered) payable to him less than the amount of pension payable to the beneficiary after the teacher's death ; or

(*c*) a smaller amount of his annual allowance than would secure for the beneficiary after the death of the teacher a pension equal to one-fourth of the amount of the allowance (as reduced by the amount surrendered) payable to the teacher ; or

(*d*) an amount of his annual allowance which is not an exact number of pounds.

8.—(1) Any teacher who, in accordance with paragraph (*a*) of subsection (1) of section 14 of the Act, is eligible to make an allocation may on applying for his annual allowance notify the Ministry of his desire to consider making an allocation.

(2) As soon as practicable after the receipt of such notification the Ministry shall furnish him with —

(*a*) a copy of the form of application for allocation ;

(*b*) a copy of these Rules and of the Option Tables for the time being in force ;

(*c*) a provisional statement of the amounts of annual allowance and additional allowance expected to be payable to him (if no allocation is made) at the date or probable date of retirement ;

(*d*) a statement of the closing date for the purposes of these Rules.

9. Thereafter the teacher shall, if he desires to make an allocation, furnish to the Ministry on the form A.P.T.1 set out in the Schedule to these Rules the particulars required thereby, and the teacher and the beneficiary shall write their signatures in the appointed spaces on that form. The teacher shall at the same time furnish the Ministry at his own expense with a certified copy of the beneficiary's birth certificate and (in the case of a woman who has been married) the beneficiary's marriage certificate, and any other information or evidence which the Ministry may consider necessary.