4. Where the payee dies before any payment in respect of any liability transferred or deemed to be transferred to the Ministry by regulation 12 is made and the amount unpaid does not exceed one hundred pounds, the amount so unpaid may be paid to the personal representative of the payee without probate or other proof of title, or may be paid or distributed to or among the persons appearing to the Ministry to be the persons beneficially entitled to the personal estate of the payee, and, in determining the persons to whom, and the proportions in which, the amount so unpaid shall be paid or distributed, the Ministry may have regard to any payments made or expenses incurred by any such person for or on account of the funeral of the payee.

Adjustment of Teachers' Pensions in relation to National Insurance

REGULATIONS, DATED 29TH JUNE, 1948, MADE BY THE MINISTRY OF FINANCE UNDER SUB-SECTION (4) OF SECTION SIXTY-SIX OF THE NATIONAL INSURANCE ACT, (NORTHERN IRELAND), 1946.

1948. No. 192

WHEREAS the Ministry of Finance (hereinafter referred to as "the Ministry") has determined under sub-section (4) of section sixty-six of the National Insurance Act (Northern Ireland), 1946 (a), that it is the appropriate Department to make regulations under that sub-section for modifying the provisions of schemes in force in Northern Ireland relating to the Superannuation of teachers :

NOW THEREFORE the Ministry, in exercise of the powers conferred on it by the said sub-section, and of all other powers enabling it in that behalf, hereby makes the following Regulations :—

PART I — INTRODUCTORY

1.—(1) These regulations may be cited as the National Insurance (Modification of Teachers Pensions) Regulations (Northern Ireland), 1948, and shall come into operation on the 1st day of July, 1948.

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

(3) In these regulations, unless the context otherwise requires :—

"the Act" means the National Insurance Act (Northern Ireland), 1946 ;

"pension" means a pension payable to a teacher under a superannuation scheme ;

"contributions" means contributions payable by or in respect of a teacher under a superannuation scheme ;

"contributing service" does not include approved external service but subject thereto has the meaning defined by Section 10 of the Teachers Superannuation Act (Northern Ireland), 1926 ;

(a) 1946, c. 23.

" teacher " includes any person who is treated as a teacher for the purposes of a superannuation scheme ;

" existing teacher " has the meaning assigned to that expression by Article 3 (*b*) ;

" new entrant " has the meaning assigned to that expression by Article 3 (*a*) ;

" the material date " means the 1st July, 1948 ;

" superannuation scheme " means a scheme made in pursuance of Sections 70 and 71 of the Education Act (Northern Ireland), 1923, and of those Sections as applied to teachers in Agricultural subjects by an Order made by the Governor of Northern Ireland in Council on the 29th day of May, 1925.

" Approved external service " is as defined in Article 2 of the Teachers Superannuation (Reciprocal Arrangements) Scheme, 1929, as amended by the Scheme of 1935, (**a**) made under Section 8 of the Teachers Superannuation Act (Northern Ireland), 1926, viz., any period of service in Great Britain in respect of which pensions or gratuities may be granted under Part II of the Teachers (Superannuation) Act, 1925, or under the Education (Scotland) (Superannuation) Act, 1925.

2. Subject to the provisions of these regulations, superannuation schemes shall as from the material date have effect subject to the modifications hereinafter prescribed.

PART II — NEW ENTRANTS AND EXISTING TEACHERS

3. In these regulations the expression :—

(*a*) " new entrant " means a teacher not being an existing teacher who enters upon contributing service under a superannuation scheme for the first time on or after the material date ; and

(*b*) " existing teacher " means —

(i) a teacher employed in contributing service under a superannuation scheme at any time before the material date ; or

(ii) a person who before the 1st March, 1948, had completed a course of training for teachers, or was engaged on such course, or had been accepted or provisionally accepted for such course, or had applied to be accepted for and had subsequently become engaged on such course : provided that if any such person fails to enter upon contributing service within six months after completing such course or within such longer period as the Ministry of Education may allow he shall at the expiration of that period cease to be an existing teacher and any act which he may have performed by virtue of his

(a) S. R. & O's 1929 No. 54 and 1936 No.14.

being an existing teacher shall be deemed to have been void.

NEW ENTRANTS

Modification of Pensions

4. As respects new entrants, the annual pension payable to any man teacher after he has attained the age of 65 or woman teacher after she has attained the age of 60 shall be reduced by £1 14s. 0d. for each completed year of contributing service reckoned for pension after the material date or by £67 15s. 0d. whichever is the less.

Provided that in computing any reduction of pension where a teacher has served in approved external service and in contributing service any period of contributing service in excess of the period of such service upon which pension is calculated under the Teachers Superannuation (Reciprocal Arrangements) Schemes 1929 and 1935, shall be ignored, and the pension shall be reduced by £1 14s. 0d. in respect of each completed year and by a proportionate amount of £1 14s. 0d. in respect of a part of a year of contributing service reckoned for pension.

Modification of Contributions

5. The teacher's contributions payable by a new entrant shall be reduced by £2 19s. 0d. a year in the case of a woman and £2 8s. 0d. in the case of a man, and the employer's contribution where payable shall be reduced by £1 9s. 6d. a year in the case of a woman and £1 4s. 0d. in the case of a man.

EXISTING TEACHERS

Election for Modification

6.—(1) Excepting existing teachers who immediately before the 5th July, 1948, the appointed day for Section 1 of the Act, are over the age of 55 in the case of a man or 50 in the case of a woman, any existing teacher shall have the right to elect whether he shall be subject to the provisions of these regulations.

(2) Any teacher who wishes to exercise his right to elect as aforesaid shall do so at any time during the period beginning with the date on which these regulations come into operation and ending —

(*a*) on the 30th September, 1948, in the case of a teacher who on the material date is in contributing service ;

(*b*) three months after the date on which he returns to contributing service in the case of a teacher who is on war service on the material date ;

(*c*) three months after the date on which he first enters upon or resumes contributing service after the material date in the case of any other teacher.

Provided that the Ministry may, if it considers that there is reasonable ground for so doing, extend the period within which the existing teacher may so elect.

(3) Where an existing teacher elects for modification, the superannuation schemes shall, as respects that teacher, be modified as from—

(*a*) the first day of the month next following the month in which the teacher elects if either he elects after the material date or