This Declaration may be attested by any of the persons following (provided that the qualification which entitles them to attest is fully stated), that is to say:—

In the United Kingdom or any other part of the British Empire:—

Magistrates or Justices of the Peace.

Commissioners for Oaths.

Ministers of Religion habitually officiating at a place of worship within 10 miles of the place where the pensioner resides for the time being. (The denomination and the address of the place of worship must be given.)

Physicians or Surgeons registered as such under the law of the country, and regularly practising within 10 miles of the place where the pensioner resides for the time being.

Officials of Banks registered under the law of the country, namely, Managers, Secretaries, Chief Cashiers, Accountants, Officials for the time being in charge of branch banks, and other officials authorised by the banks to sign documents on their behalf. (The qualification of the official and the name of the bank or branch bank must be given.)

Officials of Savings Banks registered under Act of Parliament, namely, Actuaries, Managers, Directors, Secretaries, Chief Cashiers, Accountants and Officials for the time being in charge of branch banks. (The qualification of the official and the name of the bank or branch bank must be given.)

Commissioned Officers of Police and Police Officers in actual charge of the nearest Police Station to the place where the pensioner resides for the time being.

In any part of the World:—

Officers of His Majesty's Naval, Military or Air Forces on the active or half-pay or pension lists.

In the United Kingdom only:—

Persons on the active list of the Permanent Civil Service of the Crown (including the Permanent Civil Service of Northern Ireland) who are on a scale of salary commencing at £400 a year or over.

In Foreign Countries:—

British Diplomatic or Consular Officers empowered by law to administer Oaths.

Notaries Public or other persons competent by the law of the country to administer such declarations. (The law must be quoted sufficiently for verification.)

Ministers of Religion duly licensed by Ecclesiastical Authority in Great Britain to officiate as Chaplains in the places where they attest.

Teaching Services.

ORDER IN COUNCIL, DATED 2ND DAY OF DECEMBER, 1938, APPROVING TEACHERS' SUPERANNUATION SCHEME FRAMED BY THE MINISTRY OF FINANCE IN PURSUANCE OF SECTION 2 OF THE SUPERANNUATION (TEACHING SERVICES) ACT (NORTHERN IRELAND), 1938.

1938. No. 135.

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND.

ABERCORN.

WHEREAS the Ministry of Finance, in consultation with the Ministry of Education, has, in pursuance of Sub-section (1) of Section 2 of the Superannuation (Teaching Services) Act (Northern Ireland), 1938, framed a Pension Allocation Scheme, which scheme is set out in the Schedule to this Order and is in this Order referred to as " the Scheme ":

AND WHEREAS by virtue of the said Sub-section (1) the provisions of the Education Act (Northern Ireland), 1923, apply to the framing and approval of a pension allocation scheme in like manner as they apply to any scheme under the said Education Act which may be amended by a pension allocation scheme :

AND WHEREAS the Scheme has been laid before both Houses of Parliament, and neither such House has within the period prescribed in that behalf by Section 71 of the Education Act (Northern Ireland), 1923, as amended by Section 4 of the Rules Publication Act (Northern Ireland), 1925, presented an Address praying the Governor of Northern Ireland to withhold his assent from the Scheme :

NOW I, James Albert Edward, Duke of Abercorn, Knight of the Most Noble Order of the Garter, Knight of the Most Illustrious Order of Saint Patrick, Governor of Northern Ireland, by and with the advice of the Privy Council of Northern Ireland, in exercise of the powers conferred upon me by Section 71 of the Education Act (Northern Ireland), 1923, do hereby approve of the Scheme.

Given at Government House, Hillsborough, this second day of December, 1938.

CRAIGAVON.
JOHN M. ANDREWS.
R. DAWSON BATES.
J. H. ROBB.
JOHN F. GORDON.

SCHEDULE.

In pursuance of Section 2 of the Superannuation (Teaching Services) Act (Northern Ireland), 1938, the Ministry of Finance (hereinafter referred to as " the Ministry "), after consultation with the Ministry of Education, hereby frames the following Superannuation (Pension Allocation) Scheme.

1. This scheme may be cited as the Superannuation (Pension Allocation) Scheme, 1938.

2. The Interpretation Act, 1921, shall apply to the interpretation of this scheme as it applies to the interpretation of an Act of Parliament.

3. Subject to the provisions therein in regard to health this scheme shall apply to all full-time teachers, officers and other categories of persons to whom a superannuation scheme made either under Sections 70 and 71 of the Education Act (Northern Ireland), 1923, or under those Sections as applied to teachers in Agricultural subjects by the order of the Governor in Council dated the 29th day of May, 1925, or under that Act as amended by the Teachers' Superannuation Act (Northern Ireland), 1926, applies, which schemes are hereinafter referred to as "the relevant Superannuation Scheme."

4. Unless the context otherwise requires the following expressions shall have the meanings hereby assigned to them :—

"Pension" means an annual pension and in relation to a teacher means an annual superannuation allowance granted under the relevant Superannuation Scheme, otherwise than by reason of infirmity of mind or body.

"Make an allocation" means surrender a part of a pension.

"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 relevant ages, the amount of annual pension or annuity payable under the scheme.

"Closing date" means the day next preceding the commencement of the teacher's pension, 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 pension, whichever is the later date.

5. Subject to the provisions of Article 12 hereof in regard to health a teacher may from the date of commencement of his annual pension surrender such part of his pension as is specified in Articles 6 and 7 hereof in return for the following benefits, either

(*a*) a pension payable to the spouse in respect of the period, if any, for which the spouse survives the teacher (hereafter to be known as Option A) ; or

(*b*) an annuity payable as from the date of commencement of the teacher's pension to the teacher in respect of the period of the joint lives of the teacher and the spouse 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 (hereafter to be known as Option B) ; or

(*c*) a pension payable to a dependant (other than a spouse) in respect of the period, if any, for which the dependant survives the teacher, such pension to be in accordance with Option A.

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

7. A teacher shall not surrender—

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

(*b*) so much of it as would make the amount of pension (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 pension than would secure for the beneficiary after the death of the teacher a pension equal to one-fourth of the amount of the pension (as reduced by the amount surrendered) payable to the teacher ; or

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

8. If any teacher has surrendered part of a pension in accordance with the foregoing provisions of this Scheme then—

(*a*) for the purpose of calculating the amount to be paid to his legal personal representatives under the relevant Superannuation Scheme, where a teacher who has become entitled to a pension dies at any date from and after the date of commencement of the pension and the amount received by him by way of pension is less than the amount which would have been paid to his legal personal representatives had the teacher died at the date of his retirement, the amount received by him by way of pension shall be taken to be the amount which would have been so paid but for the surrender ;

(*b*) for the purpose of calculating the amount of premiums repayable to his legal personal representatives under the relevant Superannuation Scheme, where a teacher having been in receipt of a pension from the Fund is re-employed as a teacher and dies whilst re-employed, the amount of pension received by the teacher shall be taken to be the amount which would have been so paid but for the surrender.

9. The following provisions shall apply in respect of pensions and annuities granted under this Scheme to persons entitled thereto—

(*a*) a pension or annuity which is not an exact multiple of four in pence shall be increased to the next multiple of four in pence.

(*b*) a pension or annuity shall be payable in arrear in the same manner as the pension of the teacher is or would have been payable.

(*c*) when a sum is payable under this Scheme in respect of a pension granted to a deceased spouse or dependant or of an annuity granted to a teacher, if Probate or other proof of title of the legal personal representatives is not produced to the Ministry, the Ministry may pay the sum due to or distribute it amongst the persons appearing to the Ministry to be beneficially entitled to the personal estate of the deceased and the Ministry shall be discharged from any liability in respect of such payment or distribution.

(*d*) where the Ministry is satisfied by the certificate of a fully qualified medical practitioner and such other information as it may consider necessary that a spouse or dependant entitled to a pension or a teacher entitled to an annuity, as the case may be, is of unsound mind or otherwise incapable of giving a receipt the Ministry may pay any sum due on account of such pension or annuity partly to the institution or person having the care of the spouse, dependant or teacher, as the case may be, and partly for the benefit of any dependants of the spouse, dependant or teacher in such manner as the Ministry thinks fit, and the Ministry shall be discharged from any liability in respect of any sums so paid.

10. (1) Any teacher referred to in Article 3 of this Scheme who on retirement will be eligible to make an allocation may, on applying for his pension, notify the Ministry of his desire to consider the question of making an allocation.

(2) Where such a notification is given by the teacher the application for pension shall be made by the teacher to the Ministry not less than four months, and where possible up to six months, before the date or probable date of retirement.

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

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

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

(*c*) a provisional statement of the amounts of the full pension and lump sum 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 this Scheme.