STATUTORY RULES OF NORTHERN IRELAND

1998 No. 333

Teachers' Superannuation Regulations (Northern Ireland) 1998

Part H

Miscellaneous and Supplemental

Modified application in case of employment at reduced salary

H1.—(1) If—

(a) a person who has been in pensionable employment either—

(i) continues to be employed by the same employer, or

(ii) subject to sub-paragraph (4), ceases to be employed and is re-employed within 6 months, by the same employer,

at a reduced rate of contributable salary in a different post; and

(b) he does not elect under regulation C1(6) that his contributable salary is to be treated as having continued at the previous rate; and

(c) his employer notifies the Department in writing, within 13 weeks after the first day of his employment at the reduced rate, that his employment at that rate is in the interests of the efficient discharge of the employer's functions; and

(d) the application to him of this paragraph would, taking into account prospective increases under the Pensions (Increase) Act (Northern Ireland) 1971 of benefits under Part E, be beneficial,

these Regulations have effect in relation to him with the modifications set out in Part II of Schedule 9.

(2) For the purposes of paragraph (1) the contributable salary of a person in part-time employment shall be taken to be what it would have been if the employment had been full-time, but where the employers at the previous rate and at the reduced rate were in fact different, the former is the employer for the purposes of notification under paragraph (1)(*c*).

(3) A second or subsequent application of paragraph (1) does not affect its previous operation.

(4) In sub-paragraph (1)(*a*) the words "in a different post" shall not apply in relation to a person whose employment at a reduced rate of contributable salary started before the commencement of these Regulations.